

PROSECUTOR DELIVERS CLOSING ARGUMENT IN THE BEVARD TRIAL AND CASE IS GIVEN TO JURY

Brilliant Oratorical Efforts by Counsel for State and
Prisoner Mark Closing Scene in Celebrated Case
Which Has Daily Attracted Crowd to
The Court Room.

Prosecutor Fitzgibbon began his argument in the Levi Bevard case promptly at 1 o'clock Friday afternoon, concluding at 3:12 p. m. Mr. Fitzgibbon held the attention of the jury closely, gave a strong argument which at times became eloquent as he referred to the crime and its punishment.

At 3:15 p. m. Judge Seward began to deliver his charge to the jury:

Judge Seward finished his charge and instructed the jury to retire and deliberate upon a verdict at 3:40 Friday afternoon.

Mr. Fitzgibbon immediately addressed himself to the jury when court opened for the afternoon session. He said in part:

"Gentlemen of the jury, it is hard to believe that such a brutal murder as that of Frances L. Wertz could have been committed in a civilized community, but it was, and you are summoned here to judge as to who has outraged the law."

"Counsel on the other side have indulged in fanciful argument and fanciful theories, but strip the arguments of these fanciful features, and what have they proven?"

"We have traced this case in a fair and fearless manner and this argument will be conducted in the same manner. It is a question of conscience with you men. The state of Ohio will be satisfied with your verdict, and the defendant will have to be. Those who have testified to Bevard's reputation have merely said he was a good farm hand; that makes no difference as to his guilt or innocence. A man can plow corn and yet at the same time, deep down in his heart have the intention to commit murder."

"The entire import of the argument made by counsel for the defense is, there may be a reasonable doubt. Gentlemen, a reasonable doubt is not a cautious doubt, nor a fanciful doubt, but one founded upon reason."

The prosecutor then drew a vivid and eloquent picture of the life of Frances Wertz and her grandchild, Eva Wertz.

"This crime was the blackest that ever blotted the fair fame of Licking county. I cannot understand counsel for the other side when they try to stoop down into the grave and blacken the name of a woman whose body has long since been food for the worms, and yet, gentlemen, in the arguments of both you have not heard a word in praise of Frances Wertz."

"Can there be any question in your minds but that this murder was committed by some one familiar with the premises. Could that mad man who afterwards killed himself in the county jail, or the tramp, Boyer, whom Mrs. Wertz would not allow on the place, have taken the window out and passed that vicious dog, noted for its disposition? Bevard, from his personal experience, knew about the fastenings of that window, the sash of which was taken out that night and found leaning against the house the next morning."

"Next to Eva Wertz, Levi Bevard is the central figure in this law suit. Every effort of defendant's counsel has been to discredit and belittle the testimony of this child. I want to say to you that every word she has said, every transaction she has related has been corroborated."

"Who knew about those bank transactions except Eva? There was no one. And now counsel on the other side ask the question, 'Why didn't she say at the Schimpf's that Levi Bevard was killing her grandmother, instead of saying that some one was doing it?' She was afraid of him, and was fearful that if she accused him that night she too would be killed."

PHIL E. SMYTHE'S ADDRESS.

One of the most eloquent arguments in favor of a client that has ever been made in the Licking county court house was that of Mr. Phil E. Smythe, junior counsel for Levi Bevard, who is charged with the murder of Mrs. Frances Wertz. During the time he was addressing the jury the crowd which broke all records

during the trial, was as silent as if in the presence of death.

There were many dramatic incidents during the delivery of the argument and it would be impossible in a newspaper account to give the least idea of the intense interest of the audience.

At three o'clock the young attorney began, at 5:05 o'clock he thanked the jurors for their attention and received the congratulations of all friends of Bevard, as well as those who had formed no opinion as to the guilt or innocence of the accused. It was a tribute to a masterly oratorical performance.

BEVARD IS CONFIDENT.
"I am confident of acquittal," said Levi Bevard to an Advocate reporter just after Sheriff Redman had taken the shackles from his hands Friday afternoon. "I am perfectly satisfied that the jury will return a verdict of not guilty, and this verdict will be just to me, because I never committed the crime."

and forensic effort, regardless of the guilt or innocence of the defendant, which will be determined by the jury. Mr. Smythe said in part:

"Gentlemen of the jury, you will be called upon to decide as to two characters—that of Eva Wertz and that of Levi Bevard—the defendant. He has sat before you in this trying law-suit, which will have consumed nearly two weeks before its conclusion. Look into his face, and I contend you will never say that he committed this terrible crime."

"The great State of Ohio has tried by every means to fasten this deed upon the defendant, but have failed; the prosecution has even gone to the length of bullying witnesses who were subpoenaed by the defense to tell what they knew of the death of Mrs. Wertz. The state has attempted in every way to prove that Levi Bevard killed his mother-in-law, but has failed; it has never during the progress of this case attempted to attack the character of Levi Bevard. And why, gentlemen? Because it is irreproachable."

"On the other hand the defense has shown that ever since Eva Wertz lisped a word, she has lied, and at the present time continues to do so."

"The only witnesses for the state in favor of Eva Wertz' reputation for truth and veracity, said that before this murder they had never heard of her, but that afterward they had heard as how bad as they had heard good."

"Now, gentlemen, I say to you that any girl who would sit upon the witness stand, and it would be shown to her that she was a liar, and hear her neighbors say she was a liar, and evince no sign or sense of shame, it is charitable to her to say that it is not depravity, but a deficient intelligence."

"Eva Wertz is disputed by every witness in every assertion she has made, which is susceptible of human proof."

Gentlemen of the jury, the fact that one murder has been committed, does not justify another; if you find that Levi Bevard is guilty of murder in the first degree, which you must find if you believe the story of this discredited girl, and a reasonable doubt exists in your minds that he committed the crime, you and each of you will have been guilty of the same crime of which you convict him."

"Gentlemen, we are not required to prove this man's innocence; the state is required to prove his guilt."

"Counsel on the other side has suggested that this trial has attracted the attention of the entire county; would to God that we could leave it to the arbitration of the people of Licking county, as to whether or not Levi Bevard is guilty, and I know what it would be; we can't submit it, gentlemen, to this public tribunal, but we do in all confidence submit it to you twelve men as representing the public which has been outraged by the terrible murder of Mrs. Wertz."

"They speak of the alibi which we have established, and sneer at it; where, gentlemen, there never was a more complete alibi than that which Levi Bevard has proven. Counsel who

BRIDE AND BRIDEGROOM WHOSE MARRIAGE UNITED HISTORIC HOUSES.



By the marriage of the Marquis of Graham and Lady Mary Hamilton, which occurred at St. George church, London, Thursday, two of the greatest, wealthiest and most famous houses of Scotland have been united. Lady Mary, known as the wealthiest woman in the United Kingdom, is the daughter of the twelfth Duke of Hamilton.

The Marquis of Graham, the bridegroom who himself is wealthy, was formerly a lieutenant in the Fifth Volunteer battalion of the Black Watch and a lieutenant in the Army Service corps.

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IVENS HANGED AT 11:04 TODAY TO PUSH WORK ON THE CANAL

Brutal Murder of Mrs. Frank Hollister is Avenged at Chicago

CRIME COMMITTED IN JAN'Y

CROWD SOUGHT ADMISSION TO JAIL THIS MORNING

Condemned Man Restless But He Walked to the Gallows to Meet His Death.

Chicago, June 22.—At 11:04 a. m. today Richard Ivens was hanged for the murder of Mrs. Bessie Hollister, 30 years old, wife of Franklin C. Hollister, last January.

Ivens looked restless about the bed until shortly after 5 o'clock when he arose, looked out the window and remarked to the death watch:

"Well, I was hoping that there would be one hanging day without any rain, but I guess I'm going to be disappointed. It's too bad that one cannot have a little sun the last few hours he has to live. I feel fine and dandy. That was a pretty good sleep I had. Gee, but I feel hungry. I feel like having some ham and eggs and some coffee."

A messenger was sent to a nearby restaurant and after the meal Ivens was given the holy sacrament. Warden Whitman denied that Ivens had made any confession. Frequently he leaped from his chair, nervously paced up and down the chamber, and gazed out upon the crowd that was gathered.

"My, what a bunch of 'rubber-necks' they are," remarked Ivens. "It must be great sport for them to see a person murdered for a crime he never committed."

Mrs. Ivens, after bidding her son a last farewell, cautioned him against attempting to commit suicide. The words of his mother greatly encouraged Ivens and wiping the tears from his eyes, he told his mother that he was no coward, but that he would be brave to the end.

After again cautioning her son, Mrs. Ivens and her husband kissed him a last farewell and went to their home.

Before the hour of execution all the cells in the corridor where the prisoners stood were cleared and the gallows transferred to other portions of the jail. Many persons sought admission to the jail, but were denied.

At 10:24 Sheriff Pease and other officers went to the chamber and the death warrant was read. Ivens displayed remarkable coolness during the proceedings and said he was ready.

Ivens' father sought admittance to the jail, but he was excluded. Sheriff Pease and Assistant Sheriff Peters led the death march. Following them walked Ivens, with Jailer Whitman on his right and Guard O'Neill on his left. Behind the prisoner the two ministers, Father Sumner and Father White, chanted prayers.

Richard G. Ivens aroused the entire city to retributive indignation by murdering Mrs. Hollister in a revolting manner. Mrs. Hollister, society and church woman, small, refined, delicate, was walking from a florist to her home January 12, at dusk, when Ivens, drunk and brutal, girth in strength, emerged from his father's carpenter shop, 1055 North Halstead street, and seized her arm. He insulted her and when she screamed he placed his hand over her mouth and dragged her into the shop. For hours the young woman was a victim to his will. She was put to physical torture before Ivens ended her misery by tying a piece of wire around her throat, twisting the ends with a pair of pliers until the lady was crushed. The next morning he pretended to discover the body and informed the police. His arrest and confession followed.

Franklin Hollister, husband of the murdered woman, is a wealthy employing printer. His brother, William Hollister, tried to shoot Ivens in the police station.

PROF. STEVENS DIED.

New Haven, Conn., June 22.—Prof. George B. Stevens, professor of comparative theology in the Yale divinity school, died this morning.

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CRITICISM Of Coal Companies for Refusing to Abide by Agreement

Dillonvale, June 22.—Regardless of the fact that the Hanna, Glenn's Run, Roby and United States Coal companies of this district are members of the "Stand Patters" organization which vested in their president, John H. Winder, authority to make terms with the miners, they now refuse to abide by the agreement he entered into and say they will not resume operations till more advantageous terms are concluded. The operators are making no effort to resume work. The companies are being freely criticised for refusing to about by the agreement.

SERIOUS RIOTING

Bridgeport, O., June 22.—A serious riot occurred here last night between striking miners and non-union men and the officials of Moore's Run mine. Six non-union men under guard were guarded with bricks and the guards used clubs on the strikers. Supt. Ross was badly hurt. George Fildes, a negro bricklayer, had his skull fractured, and two union miners were knocked unconscious. The strike breakers were chased through the streets for half an hour by the mob and escaped only when they swam the river.

LONGWORTS TO MEET THE KAISER

London, June 22.—Representative and Mrs. Longworth left London for Kiel, Prussia, today, where they expect to meet Kaiser Wilhelm. They will return for the next British royal drawing room, when they will be presented to King Edward and Queen Alexandra.

SUSPECTS MAY BE LYNCHED FOR DOUBLE MURDER

Grimes, Okla., June 22.—John Puryear and Earl Seeds were assassinated near Ma Mesa, Texas, today, by three men. Puryear and Seeds went to a water tank with horses and were fired on from ambush. Three suspects were arrested. A crowd has demanded that the prisoners be taken from jail and lynched. Puryear had trouble with three of his neighbors a year ago, and since then there has been a feud.

Frederick Wilson, 39, formerly a clerk in the company of the Los Angeles Guarantee and Trust company of Los Angeles, arrested at New York June 6, charged with embezzlement of \$20,000 of the trust company's money, was given into custody of W. H. Ambler, chief of police of Los Angeles.

IN MAN'S SUIT SHE RODE ON FREIGHT WHILE HUSBAND WENT ON A PASS

OMAHA, NEB., June 22.—In charge of a car of cattle, Mrs. Kate Miller made her way from Denver to this city, while her husband rode in a passenger train on a pass. George H. Miller lost all his earthly possessions in the San Francisco fire. They went to Denver with one of the train loads of refugees which left the stricken city after the disaster, but he failed to find work. A friend secured a pass for Miller, on which his description was punched, so that Mrs. Miller could not ride on it. Miller, however, also had an offer to go to Omaha in charge of a load of cattle. Mrs. Miller declared she would cut her hair, wear George's clothes and ride on the cattle train. Reaching her home, she met her husband.

KING HAAKON IS CROWNED TODAY WITH CEREMONY IN TRONDHJEM CATHEDRAL

Trondhjem, June 22.—King Haakon VII., was formally crowned king of Norway today in Trondhjem cathedral. The ceremony was one of great historic interest.

Haakon is the first ruler Norway has had to itself for nearly 600 years, the Norwegian kingdom having been bound either with Sweden or Denmark since the 14th century. No attempt was made to imitate the pomp of the old Vikings, as the ceremony was carried out in a simple and unostentatious manner. The king for the coronation wore an admiral's uniform, and Queen Maud was dressed in a brilliant robe of white and gold. The Princess of Wales appeared in a dazzling décolleté costume of deep blue material which blazed with gems.

TOWN IS DESTROYED CAN THEY STAND IT?

New Orleans, June 22.—Cable dispatch from about 13,000 in Cuba, have been offered, describing a case that the town of Bridge McPherson in the United States court to pay an aggregate of \$7,000 in fines, on conviction of conspiracy in restraint of trade and fixing and giving relations.

Yellow Fever Appears.

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Yellow Fever Appears.

ICE CREAM 1¢ A Plate



A Quart of Milk—a package of
Jell-O ICE CREAM Powder
10 minutes in the freezer—and, Lo and Behold, as if
by magic—two quarts of the most delicious Ice Cream
you ever put into your mouth.
And Pure Ice Cream too; for
Jell-O ICE CREAM Powder
is endorsed by the Pure Food Commission and received
the Gold Medal (Highest award) at the St. Louis Exposition, 1904.
Making Ice Cream with
Jell-O ICE CREAM Powder
is so simple that a child can prepare it—it requires no eggs, flavor-
ing or sugar—No cooking, heating or fussing. Results are always
the same and failure is impossible.
Four Kinds: Chocolate, Vanilla, Strawberry and Unflavored.
Beware of cheap imitations.

2 Packages for 25 cents at all Grocers.

or direct from us by mail. Send for our free Illustrated Recipe Book—it is highly prized by
thousands of Housekeepers.
When ordering by mail send address of your Grocer.

THE GENESEE PURE FOOD CO., Le Roy, N. Y.

BEYARD MURDER TRIAL

(Continued from Page 1.)
preceded me has said that no one testi-
fied to Levi's presence in his own
home on the night of the murder ex-
cept his wife, his brother and him-
self; well, I will say to you that with
a man like Levi Bevard these are the
only ones who can testify to such a
proposition: It was a question of
night and the honest Levi was in his
home, and, of course, there was no
one there but his wife and the mem-
bers of his household consisting of
his father and brother.

"Who else should have been there
at this hour of the night?" shouted
the attorney.

Continuing his argument Mr.
Smythe said:

"Now, as to motive: what could
have been the motive of Levi Bevard
to murder his aunt and mother-in-
law? On account of the marriage of
Rosa and him, which occurred four-
teen months before?

"Oh, no, gentlemen, this marriage
had been forgiven on the part of Mrs.
Wertz. And why did she object?
Because they were first cousins.

"Why, gentlemen of the jury, you
have read sacred writ: you can't forget
that the founder of Israel, father
Isaac, was a first cousin of Rebecca,
who became his wife, and that the
law of Moses not only permitted, but
commanded the marriage of first
cousins, and is this law given by the
Divine Law Giver through Moses, to
be intervened by a puny statute of
the state of Ohio?

"Mrs. Wertz had become reconciled
to the marriage of Levi and Rosa,
and there could have been no motive
from this cause, and I say, gentlemen
that no human being, unless he is
insane, will commit a murder without
a motive.

"We want no compromise verdict,
either Levi Bevard killed Frances
Wertz, or he did not, and we ask
that after carefully weighing the evi-
dence, that you will render a verdict
in accordance with your own good
judgment."

"B. G. SMYTHE'S ARGUMENT."
Mr. B. G. Smythe opened his argu-
ment to the jury in the Bevard mur-
der trial promptly at 8:30 Friday
morning before a tremendous crowd.
He said in part:

"Gentlemen of the jury, can you,
before your God, and looking your
fellow man in the face, and without
a reasonable doubt, find that this
wayward girl, this unfortunate girl,
Eva Wertz, told the truth when she
testified to one thing before you,
when before another tribunal, on a
previous occasion swore to things
which are diametrically opposite?
Can you believe this uncertain wit-
ness? On one occasion, certainly,
she must have committed perjury.

"If you believe her upon this oc-
casion you must find that Levi Be-
vard committed this fearful crime,
and that Eva on a previous occasion
told a lie. Did she tell the truth
when she told John Schimpf that she
didn't know who killed her grand-
mother, or is she telling the truth
now, when she says it was Levi Be-
vard? If she didn't know who it was
then, in God's name how can she
know it now?

"Remember, gentlemen, that there
must be no doubt in your minds that
this girl told the truth. Can you be-
lieve her in this manner? Is there
no doubt in your minds that she is
untruthful or at least uncertain?

"It is the duty of the prosecution
to develop every iota of evidence in
favor of the prisoner as well as that
against him. It is his duty to come
before the jury without any prejudice
against him.

"Now, gentlemen, can you convict
this defendant on the evidence of
this girl alone?

"I have no feeling against this lit-
tle girl, God help her. But you know
that she was not bred right, when
she was an infant she had no one to
instill into her mind the difference
between right and wrong. She was a
waif in the world from the time her
mother died. Unfortunate girl! You
know she was not reared right. She
grew up ungoverned and unprotected
in Sodom, amid vicious surroundings.

"Among other weapons taken up-
stairs by the unfortunate old lady was
a club. A club was used to beat out
Frances Wertz' brains. That club
was upstairs that night before the
murder and was found upstairs the
next morning. How could the mon-
ster who wielded the club to commit
the terrible crime have secured that
club? Who took that club upstairs?
Why gentlemen, it was Eva Wertz.
She struck the old woman. I hope to
God she did not do it alone, but the
blow which carried the soul of Fran-
ces Wertz into eternity came from
above, not from below. Eva was
able to plex and do other manual la-
bor about a farm, and she was able to
strike the blow which felled her
grandmother.

Eva testifies that the man she saw
kill her grandmother wore a white
shirt. Now Rosa says her husband
never wore a white shirt, poor man.
"Now, did Levi go and borrow a
white shirt from some one to dress
up in, in order to commit this awful
crime? It would have been in line
with her testimony that he had on a
button hole coat?"

"What a ridiculous, what a mar-
velous story the girl has told! What
an incredible story!"

"After she stamped off this veran-
da, and she has done it, and she
was in fear of her life from a
murderous man, why didn't she

WOMEN FAINT IN CROWDED COURT ROOM.

One of the dramatic inci-
dents of the Bevard trial was
the heroism of Bailiff Lewis
Legge. The crush in the court-
room has caused several women
to faint, but there has been
none in a serious condition, and
they quickly revived. Thursday
however, a lady in the extreme
west corner of the room fainted
and a glass of water was called
for. Bailiff Legge could not
make his way through the
crowd and boldly climbed out of
a window and made his way
along the ledge to the clerk's
office and tapped on the window
asking Deputy Clerk E. M. Lar-
son to hand him a glass of
water, which he took back in
the same manner. The woman was
quickly revived. It was a heroic
feat, and one which the mod-
est bailiff has just made known.
On Thursday the crowd in
the court room was so congested
that Judge Seward adjourned
court himself, with this remark,
"This court is adjourned. The
bailiff cannot get in."

So that if the state has failed to
satisfy you, beyond a reasonable
doubt, that the defendant has com-
mitted each of the elements or acts
required to constitute murder in the
first degree, as I shall hereafter de-
fine those elements or acts, then you
will find the defendant not guilty as
charged in the indictment.

Section 6508 of the Revised Stat-
utes of Ohio defines the crime of mur-
der in the first degree, and so far as
applicable to the case at bar, that
section reads substantially as follows:
Whoever purposely and of delib-
erate and premeditated malice kills an-
other, is guilty of murder in the first
degree, and shall be punished by
death, unless the jury trying the ac-
cused recommend mercy, in which
case the punishment shall be impris-
onment in the penitentiary during
life.

So that the essential elements which
constitute the crime charged against
the defendant are contained in this
statute, excepting the elements of
time and place, which are also essen-
tial ingredients, and are provided by
other provisions of the law.

Now, what are the elements of mur-
der in the first degree, as charged in
this indictment, and defined or con-
tained in this statute? They are:
1st. That the said Frances Wertz,
the person mentioned in the indict-
ment, was, on the 31st day of May
1905, a person living in this county
and state.

2d. That she, the said Frances
Wertz, is now dead.

3d. That she died on or about the
31st day of May, A. D. 1905, in this
county, from a mortal wound inflicted
upon her body by the defendant, in
the manner and by the means de-
scribed in the indictment.

4th. That the wound from which
she died (if you find that she died
from a mortal wound) was inflicted
upon her person by the defend-
ant, or about the time stated in the
indictment, by a club in the hands
of the defendant, of deliberate and
premeditated malice on the part
of the defendant, and with intent on
his part to kill Frances Wertz. That is,
that the defendant, on the occasion
mentioned, unlawfully and purposely,
with deliberate and premeditated
malice, and with intent to kill Fran-
ces Wertz, struck her with a club,
thereby producing a mortal wound
from the effects of which she died.

Now, to do an act unlawfully, is to
do it in violation of law.
To do an act feloniously, is to do
it criminally.
To do an act purposely, is to do it
intentionally; not accidentally, or by
mischance: it imports an act of the
will, a design to commit the act.

If the state has satisfied you, be-
yond a reasonable doubt, that the de-
fendant has committed and is guilty
of each of the essential elements be-
fore mentioned, as constituting mur-
der in the first degree, then and in
that case your verdict will be guilty,
as he stands charged in the indict-
ment.

But if the State has failed to sa-
tisfy you, your verdict will be not
guilty as he stands charged in the in-
dictment.

The crime charged in this indict-
ment under the laws of this State,
includes within its scope other lesser
crimes than murder in the first de-
gree, not specifically described in the
indictment, to-wit: Murder in the se-
cond degree; manslaughter, and as-
sault and battery.

Section 6510 of the Revised Stat-
utes provides, in so far as applica-
ble to this case, that whoever purposely
and maliciously kills another is
guilty of murder in the second de-
gree. So that the essential elements
of murder in the second degree, so
far as this case is concerned, are the
same as in murder in the first de-
gree, excepting that premeditation and
deliberation, or either of them, are not
elements of murder in the second de-
gree, and as murder in the second de-
gree is included under the law in
this indictment, therefore, if you find
the defendant not guilty of murder in
the first degree, and the State has
satisfied you, beyond a reasonable
doubt, that the defendant purposely

(Continued on Page 6, 2d Col.)

run to the nearest neighbor, or go to
John Schimpf's by way of the public
road, instead of going past that his-
toric west window, near which, she
said, some one was killing her grand-
mother, and feared that he would
kill her. The sash was out and he
Young's. Why, gentlemen, this story
is fabulous.

"She would not have gone past
that west window if she had thought
there was a murderer there killing
her grandmother and who wanted to
kill her. The sash was out and he
could easily have pursued her. If
there was a murderer there, and it
may have been a blood relation, but
it was not Levi Bevard, it was some
one of whom she was not afraid.

"Here is a reasonable theory of
this murder, and I think it will so
appeal to you; and neither you nor I
would blame this unfortunate girl,
it is in evidence that this old lady on
frequent occasions whipped Eva, and
was very stern with her. Her grand-
mother probably detected her in some
act of which she disapproved and
pursued her up the stairway; the
girl, in self defense, picked up this
club (showing it to the jury), and
struck Mrs. Wertz, who fell down
that stairway; in her frenzy of fear
she may have struck two, three, or
four times, and she fell down the
stairway. Eva saw her fall, ran to
the west window, looked in and saw
the body lying at the foot of the
stairway, and came to the conclusion
that she was dead, or at least serious-
ly hurt; the terrible conclusion came
upon her with terrific force. I have
killed grandmother, what shall I do?
She then ran to John Schimpf's and
calmly took a chair and waited for
Schimpf to dress. She did not, as
would have been the case if she had
seen these murderous blows struck
cry out in terrible fear and consterna-
tion, 'Levi Bevard is killing grand-
ma!' but said 'some one is killing
grandma.'

The evidence also shows that the
next afternoon Eva saw Levi and
Rosa in a buggy, and said to her
companions, 'There's Lee and Rosa-
let's go and see them.'

"Gentlemen, if this creature had
feared this monster would she, a few
hours afterward wanted to shake
his hand, which one witness says she
did? I know you can not believe
such a ridiculous story.

CHARGE TO THE JURY.
Judge Seward at 3:15 p. m. Friday
delivered the following charge:
Gentlemen of the Jury: The grand
jury of this county, at the September
Term, 1905, of this court, found and
presented an indictment against the
defendant, Levi Bevard, in which they
charge and say:
That Levi Bevard, on the 31st day
of May, 1905 with force and arms, in
this county and state, in and upon
one Frances Wertz, unlawfully, pur-
posely and of deliberate and premed-
itated malice, did make an assault in
a menacing manner, with intent her-
to, the said Frances Wertz, unlawfully,
purposely and of deliberate and pre-
meditated malice, to kill and murder,
and with a certain club, which he, the
said Levi Bevard, in his right hand,
then and there had and held, he, the
said Levi Bevard, her, the said Fran-
ces Wertz, then and there unlawfully,
purposely and of deliberate and pre-
meditated malice did beat, bruise, and
strike, with the intent aforesaid
thereby, then and there, giving to her
the said Frances Wertz, divers mortal

BAD BREATH
is sometimes caused by nasal
catarrh, which is a local disease
and should be treated by local
or direct application.
Have you tried PAXTINE
Toilet Antiseptic for this
trouble?
If not, do so at once. Its
cleansing, healing and purify-
ing results will astonish you.
Paxtine kills all germs and
makes the breath sweet and
wholesome. Try it on our
guarantee.
Frank D. Hall, Druggist, Newark, O.

BOND SALE.

Sealed proposals will be received at
the office of the Auditor of the City
of Newark, State of Ohio, until 12
o'clock noon.

MONDAY, JULY 23, 1906,
for the purchase of bonds of the said
city in the aggregate sum of Eight
Thousand Dollars (\$8,000.00) dated
the first day of April, 1906, payable as
follows: Nos. 1, 2 and 3, due April 1,
1908; Nos. 4, 5 and 6, due April 1,
1909; Nos. 7, 8 and 9, due April 1, 1910;
Nos. 10, 11 and 12, due April 1, 1911;
Nos. 13, 14, 15 and 16, due April 1,
1912; each being in the sum of
\$500.00, and bearing interest at the
rate of 4 per cent per annum, payable
semi-annually, issued for the purpose
of erecting a Police Station and for
furnishing and equipping the same
and under authority of Section 2835,
and the amendments thereof of the
Revised Statutes of the State of Ohio,
and under and in accordance with a
certain ordinance of said city enti-
tled "To issue bonds for the pur-
pose of erecting a Police Station and
for furnishing and equipping the
same," passed on the 21st day of May,
1906.

2. Sealed proposals will be re-
ceived at the office of the Auditor
of the City of Newark, State of Ohio,
until 12 o'clock noon, of July 23, 1906,
for the purchase of bonds of said
city in the aggregate sum of Seven
Thousand Five Hundred Dollars
(\$7,500.00) dated July 1, 1906, payable
as follows: Nos. 1 and 2, due July 1,

1911; Nos. 3 and 4, due July 1, 1912;
Nos. 5 and 6, due July 1, 1913; Nos.
7 and 8, due July 1, 1914; Nos. 9 and
10, due July 1, 1915; Nos. 11 and 12,
due July 1, 1916; Nos. 13 and 14 and
15, due July 1, 1917; each being in
the sum of \$500 and bearing interest
at the rate of 4 per cent per annum,
payable semi-annually, issued for the
purpose of erecting a building neces-
sary for a Fire Department, and for
equipping and furnishing the same
and under authority of Section 2835,
and the amendments thereof of the
Revised Statutes of the State of Ohio,
and under and in accordance with a
certain ordinance of said city enti-
tled "To issue bonds for the purpose
of erecting a building necessary, for a
Fire Department, and for equipping
and furnishing the same," passed May
21, 1906.

Said bonds will be sold to the high-
est and best bidder for not less than
par and accrued interest.

All bids must state the number of
bonds bid and the gross amount of
the bid and accrued interest to
date of delivery, all bids to be accom-
panied with a certified check, payable
to the Treasurer of the City of New-
ark for ten per centum of the amount
of the bonds bid for, upon condition
if the bid is accepted the bidder will
receive and pay for such bonds as
may be issued as above set forth
within ten days from the time of
award, said check to be retained by
the city of Newark if said condition
is not fulfilled.

The City of Newark reserves the
right to reject any and all bids.

Bids must be sealed and endorsed
"Bids for Bonds."

Dated June 20, 1906
FRANK T. MAURATH Auditor.

Police Court.

Persian Nerve Essence

RESTORES VITALITY—Have cured
thousands of cases of Nervous Debility,
and Insomnia. They clear the brain,
strengthen the circulation, make diges-
tion perfect and impart a magnetic vigor
to the whole being. All drains and losses
stopped permanently. \$1.00 per box; 5
boxes, guaranteed to cure or refund
money. Mailed sealed. Book free. Persian
Med. Co., 335 Arch St., Philadelphia.
Sold in Newark only by Hall, the Drug-
gist, 10 North Side Square.

John David Jones. Roderick Jones
JONES & JONES,
Attorneys-at-Law.

Practices in all the courts, both State
and National. Prompt attention given to
wills, conveyancing and administrators
and guardians accounts, and all litiga-
tions.
No. 14 Lansing House Block, Newark.

Union Market Co.

46 SOUTH SECOND ST

Special Sale Saturday

500 lbs. Choice Hams
13 1/2 c. lb.

Fancy Beef Roast 8 and 10c
Boiling Beef, 5, 6, 7 and 8c
Pork Roast and Chops
12 1/2 c.

Butterine, 12 1/2 and 15c.

Call and see us and save
money.

Union Market Co.

J. F. RYAN, Manager.

NINETY SALOONS PAY NEW TAX

EIGHTEEN LESS SALOONS IN
COUNTY THAN UNDER THE
OLD LAW.

Third of Money to City, Third to In-
firmity, and Third to Treasury
of State of Ohio.

At four o'clock on Wednesday after-
noon County Treasurer W. N. Ful-
ton declared the liquor tax books
closed, after 90 saloon keepers had
paid the tax in full. Originally 95
saloonkeepers had signed up to pay
the tax. Of these two failed to start,
while three saloons at Hebron were
forced out of business by decree
of the court. Of the 90 saloons which
have paid in their license fees of
\$500 for the half year, 84 are in the
city and six in the townships.

Under the Low law the tax was
\$350 a year, and during the year
1905, there were 96 saloons in op-
eration and 12 in the county. A com-
parison with the new figures shows
that there are 18 less saloons in the
county under the new \$1000 law than
there were under the old law. Under
the old law the revenue from this
source was \$37,800, while under the
Aiken law it is \$90,000, being an in-
crease of \$52,200, providing that all
the saloons which have paid the half
year tax remain for the year.

Approximately one-third of this
amount will go to the city, one-third
to the infirmity fund, and one-third
to the state.

At Columbus 522 saloonists paid
the tax, and 45 others in Franklin
county outside of Columbus paid the
\$1000 tax under the new law.

Women as Well as Men Are Made Miserable by Kidney Trouble.

Kidney trouble preys upon the mind, dis-
courage and lessens ambition; beauty, vigor
and cheerfulness soon disappear when the kid-
neys are out of order
or diseased.

Kidney trouble has become so prevalent
that it is not uncommon
for a child to be born
afflicted with weak kid-
neys. If the child urina-
tes too often, if the
urine scalds the flesh or if, when the child
reaches an age when it should be able to
control the passage, it is yet afflicted with
bed-wetting, depend upon it, the cause of
the difficulty is kidney trouble, and the first
step should be towards the treatment of
these important organs. This unpleasant
trouble is due to a diseased condition of the
kidneys and bladder and not to a habit as
most people suppose.

Women as well as men are made mis-
erable with kidney and bladder trouble,
and both need the same great remedy.
The mild and the immediate effect of
Swamp-Root is soon realized. It is sold
by druggists, in fifty-cent and one dollar
sizes. You may have a
sample bottle by mail
free, also pamphlet tell-
ing all about it, including many of the
thousands of testimonial letters received
from sufferers cured. In writing Dr. Kilmer
& Co., Binghamton, N. Y., be sure and
mention this paper.

Don't make any mistake, but remem-
ber the name, Swamp-Root. Dr. Kil-
mer's Swamp-Root, and the address,
Binghamton, N. Y., on every bottle.

Home of Swamp-Root,
Binghamton, N. Y.



**ANTICO
AN ARROW**
CLIPPER SHUNNY QUARTER SIZES
10 CENTS EACH. 2 FOR 25 CENTS
CLUBBET, PLADDOY & CO.
MADE IN U.S.A.

Hall's Tooth Powder

is a great whitener with many.
It whitens the teeth, hardens
the gums and sweetens the
breath. Price 25c.

Hall's Headache Powders

give quick relief for Headache
or neuralgia. Four doses, 10c.

Hall's Ointment

for Itching Piles or any itch-
ing of the skin. Will give you
immediate relief. Price 25c.

Hall's Painless Corn Cure

is well known and the sales
are constantly increasing. It
relieves the pain and removes
the Corn or Bunion. Price
25c.

Vinol is the True Tonic

and strength producer. Exclu-
sive agency for Newark is at
Hall's Drug Store. You may
try any of the above on our
guarantee.

—AT—

Hall's Drug Store

10 North Side Square.

JOSEPH RENZ,

NOTARY PUBLIC REAL ESTATE
AND INSURANCE.

Office No. 715 West Side Square, over
Sample Shoe Store.
Deeds and mortgages written. All
business entrusted to me will be promptly
and carefully attended to.

GRANVILLE LINE.

In effect May 1, 1904.

Cars leave Newark for Granville 5:50
a. m. every hour to 11 p. m.
Cars leave Granville for Newark 5:30
a. m. every hour to 11:20 p. m.
Car leaving Newark at 9 a. m. and 7
p. m. connect with the northbound T.
and O. C. R. R. trains.

Cars leaving Newark at 7:30 a. m. and
1:00 p. m. connect with southbound T.
and O. C. R. R. trains.

Sunday schedule same as week day;
first car leaving Newark station at 7:00
a. m.

Express car leaves Newark at 2:30 p. m.
J. C. LARSON, Ticket Agent.
R. A. ATTERTON, Superintendent.

JOHN M. SWARTZ,

Attorney-at-Law.

Practices in all courts. Will attend
promptly to all business entrusted to
him. Special attention given to collec-
tions, administration of estates, accounts
of administrators, executors, guardians,
and trustees, carefully stated and at-
tended to. Special facilities for obtain-
ing patents in all countries.
Office over Franklin National Bank.

S. M. HUNTER, ROBERTS HUNTER, HUNTER & HUNTER.

Attorneys and Counsellors-at-Law.
Newark, Ohio.

Will practice in Licking and adjoining
counties in all the courts, county, state
and United States.
Special attention given to collections
and the writing of deeds, wills and con-
tracts of all kinds, and to the business
of administrators, executors and guard-
ians in the Probate Court.
Office—Hunter & Jones Block, West
Side of Public Square, New phone 173.

A. N. BANTON.

ELECTRICAL CONTRACTOR
AND SUPPLIES.

Celling and desk fans. No. 9 North
Third street, with Sayre, the plumber
Citizens phone, office 197; res. 554.

We Have Moved

Into Our New Building

103 West Main Street,
just opposite the
High School

BAILEY & KEELEY

Slate and Tin Roofing,
Spouting and Re-
pair Work.

103 W. MAIN ST.

New Phone 133

Our Tailored Wash Suits



All our fine Summer Suits will be reduced in price Saturday morning. This means our tailored white poplins. These are suits that have been selling at \$18.50, \$19.00 and \$20.00 each, and they are the finest wash suits we have ever carried—some are all white, others are touched up with a little color in the trimmings.

All reduced to \$12.50

SILK SUITS

There are only five of these—they are in colors and have been marked at \$35 and \$39.

Tomorrow all at \$17.50

Our Clearance Sale of Cloth Suits and Spring Coats

Will open tomorrow morning. Everyone of them will be offered at clearance prices.

The H. H. Griggs Co.

DR. A. W. BEARD,

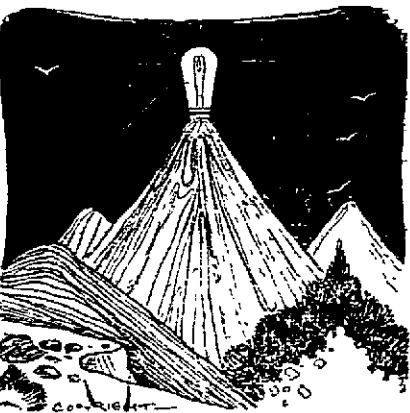
Dentist.

Office Hours: 8 to 11:30, 12:30 to 5 p. m.
Up-to-date methods in dentistry. Filling, Crowning and Bridge Work and plates of all kinds. All work guaranteed. Extracting a specialty, and as near painless as possible. Gas and Vitalized Air used when desired.
227 Granville street. Old phone 231.
Office first stairway north of Cartroll's dry goods store, North Third street.

Call and See Our Line of
**Wicker Hand Bags
And Suit Cases**
Healy's Art Store
61 NORTH THIRD STREET.

J. V. HILLIARD

Attorney-at-Law, practices in all the State and U. S. and Circuit Courts. Prompt attention given to settlements of estates. Notary public in office. 36 1-2 West Main street, in Wehrle Block.



Our grade of Electric work is as high as the Alps, and prices are on the rock-bottom. If you have ELECTRIC WORK to be done, get one of our 60-day contracts. Sign up. One-half off for 60 days.

LIPPINCOTT BROS.

Electric Contractors, 14 West Church Street.

Garden and Flower Seed

All standard varieties of fresh northern grown seeds, 2 packets for 5 cents. Peas, Beans, Sweet Corn in bulk.
Lawn Seed, Fertilizer, Field Seeds. All kinds of seeds that grow.

C. S. Kerr & Co.

Grain Seed Store, 22 W. Church. Opposite Powers-Miller Co.

credit may arrange with him now or at any time before July 9. Special arrangements may be made by teachers preparing for the county examinations. 114

Baker Case Continued.

The case of James Baker, arrested by Chief Sheridan for annoying a crippled girl who gives her home as Columbus, was begun in the mayor's court Friday at 1 o'clock, but was continued until Monday. Baker is said to have followed the girl and at one time grabbed her by the throat, choking her.

Christian Endeavor.

The regular monthly meeting of the Christian Endeavor of the First Presbyterian church will be held at the home of G. H. Long, 117 West Locust street, this evening at 7:30.

CARD OF THANKS.

We wish to extend our heartfelt thanks to the B. of L. E., G. I. A., Maccabees, Daughter of Liberty, Daughters of America, Ben Hur, the Faka Embroidery club and Home Guards of America for their beautiful floral offerings and especially to the Home Guards of America for their untiring attention and kindness during the illness and death of our husband and father, Mr. R. G. Kunniger, and to our friends and neighbors. Wife and family.

THE NURSING MOTHER

She Needs Food Especially Adapted to Herself and Baby—A Pure Food Easily Digested.

The Results of What She Eats Are Show in Her Offspring.

We often meet youngsters whose pimply or blotchy skins tell a story of improper nourishment—of greasy foods, vegetables not properly cooked, and poor bread.



These conditions exist because enough care is not taken in the selection of diet by the nursing mother. Only those foods that can meet all the requirements of both mother and child should be eaten, and the simpler they are the better.

Hardyfood is the ideal food for both mother and child at all times.

It is a brain, nerve and muscle builder, easily digested, and its wastes are rapidly eliminated from the system.

It is the best food for children at any age, especially the growing and school age.

It is pleasing to the taste, and eaten with milk or fruits will sustain the person indefinitely without other nourishment.

It is all ready to eat from the package, but can be cooked again or prepared in many ways.

Hardyfood is an economical food, as a 10-cent package contains enough for 10 to 15 meals, a cost of less than a cent a meal.

If you have never eaten Hardyfood you have a food lesson to learn. Put it on your table at once.

All grocers—10 cents.

INDICTMENTS

Against Six Men Involved in Alleged Coal Contract Bribery

(Bulletin.)

Cincinnati, O., June 22.—Indictments against six men involved in the alleged coal contract bribery charged aired by the Lexow committee were returned by the Hamilton county grand jury today. It is reported that sealed indictments were returned against the Lubrizol Coal company, Henry Marmet, Rudolph Kierbolte, Edwin Burkhardt and Wm. Kierbolte. It is not known whether the Lubrizol company was indicted as a corporation or individually. The sixth indictment is said to accuse a former city official for misdeeds while in office.

What Shall I do With These Spots?

TAKE IT TO

FRAD BROS.

NEWARK ELECTRIC DYE WORKS
Both Phones, 34 S. 3rd St.

ABOUT PEOPLE

Short Personal Items Gathered During the Day.

Mr. Theodore Baker of Granville was in Newark Thursday.

Attorney Roderick Jones made a business trip to Columbus today.

Miss Patty Stair of Cleveland is the guest of the Misses Buckingham.

Miss Laura Warb is visiting her aunt, Mrs. Henry Ruchhart, at Tunnel Hill.

Mrs. J. D. Simkins of Newark is visiting friends here—Centerburg Gazette.

Master Harry Miller has been visiting at the home of H. A. Bumpus in Mt. Vernon for several days.

Ethelyn, the daughter of Mrs. Grace Jones, is lying quite ill at the home of her grandparents on Maple avenue.

Walter has been visiting his parents, Mr. and Mrs. William G. Wallace, near Cambridge, for some days.

Mr. and Mrs. Joseph Elliott of Woods avenue, left yesterday morning for an extended visit in Magnolia, Ill., with their son.

Mr. James Mills and Mr. Henry Fleck left for Detroit last night to superintend the shipment of Mr. Fleck's new motor-car.

Mrs. George Stotts of Circleville, Ohio, is visiting her daughter, Mrs. Frank Carrico, at her home on Pataskala street for a few days.

Messrs. Pearl Wareham and Clifford Bland and Miss Goldie Smith of Newark, have returned to their home after a brief visit with Mrs. Charles Bland, of Lee street—Zanesville Times-Recorder.

Mr. and Mrs. George Stratton of First street, left today noon for an extended visit with friends in Marietta and Canton. Mrs. Stratton has been on the sick list for some time and it is hoped this "change of air" may be beneficial to him.

Mr. and Mrs. Fred Wright have left for Williamstown, Mass., where they will attend the commencement exercises of Williams College, from which their son, Frederick Fleck Wright graduated, on June 27.

Messrs. George and Ernest Trenwith went to Newark, Thursday, and will spend ten days camping at Buckeye Lake. Master Harry Miller of Newark and Masters Herbert Brentlinger and Robert Harry of Fredericktown are guests at the home of Mr. and Mrs. H. A. Bumpus for a few days.—Mt. Vernon Republican-News

The Baldwin, Ellington, Hamilton and Valley Gem Pianos for sale at 58 West Church street. 22-31

GOVERNOR'S WIFE AT EATON, OHIO

MRS. HARRIS PREFERS TO STAY THERE AT LEAST DURING THE SUMMER

Or Until Her Big Onion Crop is Harvested—Busy, Energetic Help—ful and Chery.

Eaton, Ohio, June 22.—"Andrew Harris, president! Humph, I'd rather see him at home tending to his own business." It doesn't seem polite to tell it, but Caroline Conger Harris, the first lady of Ohio, gave an audible sniff of disgust. She said today: "Mr. Harris has plenty to keep him busy without the cares of public office. Any man that can manage three big farms and be at home for his meals occasionally has his hands full."

"Will you go to Columbus soon, Mrs. Harris?" was asked by the correspondent.

"Well, I'm not going until I have pulled and put away my onions for the winter; that's all there is to it," she replied with lips that settled into firm lines under the stress of household cares.

Mrs. Harris is 41, but in spirit is still the same happy, country girl that waved goodbye to "Andy" Harris, smiling through her tears when he marched off to the war in the early '60s. "We were sweethearts then," she said softly, "and he might have forgotten me like other boys in blue forgot the girls they left behind, but he didn't." A slender, energetic woman, she is busy, always cheery and always helpful.

Mansfield People Coming.

Quite a large number of Mansfield people expect to be in Newark on Sunday for the ball game. He is the manager and he is making arrangements for an excursion to Newark on Monday morning. A large number of people are expected to be in Newark on Monday morning. A large number of people are expected to be in Newark on Monday morning.

Real Estate. 4 others to City. 99 and 100.

ADVOCATE CLASSIFIED ADVERTISEMENTS

Best of all the modern business promoters because they bring quick results and are inexpensive. Three lines, three days cost 25 cents. Phone your For Sale, For Rent, For Exchange, Lost or Miscellaneous Advertisements for this department. Call No. on either telephone. Do it now.

WANTED.

Wanted—At the Kuster Cafe, 21 North Park, kitchen help at once. 6-22dlf

Wanted—A man for lunch counter work. Apply at Kuster & Co's restaurant. 22d31*

Wanted—A good cook (woman preferred). Apply at Hotel Standen, Coshocton, O. 22d31*

Wanted—Girl for general housework. Apply 496 North Fourth st. 21-31*

Wanted—Girl for general housework. Enquire 213 West Main street. 21-31

Wanted—Two good laboring men. Apply at once. A. H. Heisey & Company. 20d31*

Wanted—Chambermaid at Hotel Warden. 20d31

Wanted—Amateur performers for big amateur show at Olympic Park, Friday evening. Apply evenings at box office, Corner Fourth and Main streets. 20d31*

Wanted—Girl for summer at country home, Lovers Lane road. General work. Apply to Kibler's, No. 179 Granville st. New phone 17. 21d31*

Wanted—Local agent for sale of stock of coffee monopoly. Money never easier made. For prospectus and terms write, James Grant, secretary, Huntington, Indiana. 18d31*

Men—Our illustrated catalogue explains how we teach barber trade quickly by practical experience, mailed free. Moler Barber College, Cincinnati, O. 16d31*

Ladies—Our catalogue explains how we teach hairdressing, manicuring, facial massage, etc., in short time, mailed free. Moler College, Cincinnati, O. 16d31*

Wanted—Boarders and roomers. Myrtle Hall 272 Hudson avenue. Has been refurnished and will be conducted by Miss Mary Skiles. 6-6dlm*

Kuster's New Restaurant. Joseph Kuster Sr., who has been associated for a number of years in the conduct of the well known Kuster restaurant, has branched out in the restaurant business for himself. He has lately purchased from Barney Byrnes the room formerly occupied by the Turner restaurant which he has refitted, making it one of the finest in the city. A feature of the place will be the merchants' noon-day lunch. Another feature will be the serving of pure milk in bottles, which is first sterilized and then bottled and served to customers first-hand. The dining room is equipped with six tables, while the lunch counter is supplied with everything in season, hot and cold. Mr. Kuster has just received a new improved steam table, and the serving of short orders will be a specialty. Mrs. Rose Southard, who was chef at the old Kuster restaurant for a number of years, has charge of the culinary department, which is a guarantee that everything coming out of the kitchen will be first class.

Oil Mill Burns. Yazoo City, Miss., June 22.—The Paduch Cotton oil mill of this place was completely destroyed by fire, entailing a loss of \$150,000.

TODAY'S LIVE STOCK MARKETS. Chicago. (By wire to the Advocate.)

Chicago, June 22.—Today's cattle: receipts 2,000; estimated for Saturday 2,000; market steady. Prime beefs \$5.15 @ 6.05; poor to medium \$4 @ 5; stockers and feeders \$2.75 @ 4.50; cows and heifers \$2.90 @ 5; canners \$1.40 @ 2.50; Texans \$2.60 @ 4.30. Hogs: receipts 22,000; estimated for Saturday 12,000; market steady. Light \$6.30 @ 6.57 1-2; rough \$6.30 @ 6.40; mixed \$6.50 @ 6.62 1-2; heavy \$6.50 @ 6.60.

Sheep and lambs: receipts \$,000; estimated for Saturday 3,000; market steady. Native sheep \$4.40 @ 6.30; western sheep \$4.75 @ 6.75; native lambs \$5.50 @ 7.50; western lambs \$5.90 @ 7.50.

Pittsburg. (By wire to the Advocate.)

Pittsburg, June 22.—Today's cattle: supply light and market slow. Choice \$5.65 @ 5.80; prime \$5.40 @ 5.80; good \$5.20 @ 5.50; fair \$5.00 @ 5.50; mixed \$4.80 @ 5.50; common to fair \$4.50 @ 5.50; common to good fat cows \$2.50 @ 4.25; common to good fat cows \$2.50 @ 4.25; common to good fat cows \$2.50 @ 4.25.

Sheep and lambs: supply fair; market steady. Prime ewes \$4.40 @ 6.30; mixed \$4.40 @ 6.30; fair \$4.40 @ 6.30; good \$4.40 @ 6.30; common to fair \$4.40 @ 6.30.

Hogs: receipts 15,000; market steady. Choice \$5.65 @ 5.80; prime \$5.40 @ 5.80; good \$5.20 @ 5.50; fair \$5.00 @ 5.50; mixed \$4.80 @ 5.50; common to fair \$4.50 @ 5.50; common to good fat cows \$2.50 @ 4.25; common to good fat cows \$2.50 @ 4.25; common to good fat cows \$2.50 @ 4.25.

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Pittsburg. (By wire to the Advocate.)

Pittsburg, June 22.—Today's cattle: supply light and market slow. Choice \$5.65 @ 5.80; prime \$5.40 @ 5.80; good \$5.20 @ 5.50; fair \$5.00 @ 5.50; mixed \$4.80 @ 5.50; common to fair \$4.50 @ 5.50; common to good fat cows \$2.50 @ 4.25; common to good fat cows \$2.50 @ 4.25; common to good fat cows \$2.50 @ 4.25.

Sheep and lambs: supply fair; market steady. Prime ewes \$4.40 @ 6.30; mixed \$4.40 @ 6.30; fair \$4.40 @ 6.30; good \$4.40 @ 6.30; common to fair \$4.40 @ 6.30.

Hogs: receipts 15,000; market steady. Choice \$5.65 @ 5.80; prime \$5.40 @ 5.80; good \$5.20 @ 5.50; fair \$5.00 @ 5.50; mixed \$4.80 @ 5.50; common to fair \$4.50 @ 5.50; common to good fat cows \$2.50 @ 4.25; common to good fat cows \$2.50 @ 4.25; common to good fat cows \$2.50 @ 4.25.

Sheep and lambs: supply fair; market steady. Native sheep \$4.40 @ 6.30; western sheep \$4.75 @ 6.75; native lambs \$5.50 @ 7.50; western lambs \$5.90 @ 7.50.

Pittsburg. (By wire to the Advocate.)

MISCELLANEOUS.

Lost—Two puppies, male and female, black, white and tan heads and white bodies. Return to Dr. Nichols and get reward. 22d31

I wish to loan six or seven hundred dollars on first mortgage security. Address, Kent K. Kirby, Granville, Ohio. 22d31*

Pianos—Direct from the factory on easy payment plan Compton's, 9 North Fourth street. 22d31*

Dependable Life Insurance—Penn Mutual, Philadelphia. Assets \$76,000, 600. Harry Scott, Agent, 26 South Third street. 6-18mwl10t

Lost—Shoe string satchel and handbag with pocket book. Reward if left with Roe Emerson. 21d31

Gas and steam fitting. A. Yaus, 570 Maple avenue, or call Bell phone 893-K. 20d31*

Money Saved—By calling the C. O. Harris Fertilizer and Rendering Works, Bell phone 890-K, when you have a horse or cow dead. They will remove it free of charge. 5-21-dlm

F. J. Mackenzie, Watch and Clock Repairing, 53 N. Third st. 5-7lf

Wanted—Everybody to know that W. H. Lucas builds the concrete cisterns at 50 cents per barrel, 40 barrels and over. Also builds vaults, cesspools and does repair work. Work guaranteed. Address H. C. Larasan, Gen. Manager, 187 Buckingham St., Newark, O. Bell phone 747-X 12-2dlf

FOR RENT. For Rent—Five room houses on Columbia street. Inquire at Wyeth's sled runner office. 22d31*

For Rent—A new modern house. Enquire of 155 Granville street. 22-31*

For Rent—An eight room house Elmwood avenue; five minutes walk from square; gas for light and heat. Enquire Doty House. 20d31*

For Rent—Three room cottage furnished at Buckeye Lake. Call new phone Red 7152. 20d31

For Rent—Four room house on Boner street. Inquire of Dr. Wagner, No. 319 German street. 20d31*

For Rent—Blacksmith shop, rear of Swisher Cigar factory. Enquire of Frank Bolton. 5-23dlf

ARREST IT—\$50 REWARD. A small bottle of Ec-zine will be sent free to every reader of the Advocate who is suffering with any kind of skin disease or eruption—Eczema, Blind or Bleeding Piles, Blood Poison, Fever Sores, Itchiness, Cancer, Rheumatic Pains, or any other Germ or Virus disease or sore of any name or nature.

\$50 reward will be paid for any case of Eczema that is not promptly cured by Ec-zine. Ec-zine will heal any sore or cure the worst skin and make it look like velvet. Thousands cured daily. Never mind what you have tried; forget the failures of any other remedies, and send for free sample of Ec-zine which always gives relief and permanent cure. A \$100 bottle often cures the worst cases. Ec-zine successfully used in hospitals and by physicians generally. It is not a patent medicine. If your druggist does not have Ec-zine send direct to us. State nature of disease and years' standing. Address, THE PHYSICIANS LABORATORIES, 5-24lf 866 Boyce Bldg., Chicago, Ill.

Mrs. Hopkinson's Card. (Communicated.)

I wish to correct a mistake made in yesterday's paper concerning a fine that was paid for playing ball on Twelfth street. My son is 15 years old, instead of 18, and neither was he sent to the stone pile. The complaint made was due to a personal grudge, and not because of love of law and order. Part of the same family has played ball on this street and no complaints were made.

If middle-class people would mind their own business as well as they attend to the affairs of neighbors and neighbors' children, there would be no need of officers waking up the neighborhood at 2:30 a. m. to notify parents to send their children to the Mayor's court. I should think after sunrise is the proper time to call people out.

Yes, let the law be enforced on other streets as well as Twelfth street. Another offense frequently complained of is bicycle riding on the side walks. I believe pedestrians have a right to the sidewalks and persons on wheels should take care. Children have been run over or knocked down by wheels and grown people must step out in the gutter to make way for wheels. This is one great nuisance and I believe the public will agree that it should be done away with.

MRS. OLIVE HOPKINSON, 21 Twelfth street

Marriage Licenses. David H. Evans, Newark, Ill. Elizabeth Lewis, Newark.

REMOVED. BLENDED. SOFT & STIFF HATS. RENOVATED. WORK CALLED FOR AND DELIVERED. NEW YORK. HATTER. 111 W. MAIN ST. NEWARK, OHIO. WE WANT YOUR PATRONAGE.

NO EXTRA SESSION. Columbus, June 22.—Gov. Harris will today make no formal declaration of his policy. He sees no probability of an extra session, has not yet decided upon any appointments, and will thoroughly study the legal phase of the recess appointment question by determining his course with regard to the officers still holding in office at the appointment of Gov. Herrick.

Exasperated because he caught but three small fish after an all-day effort, Joseph Buehlein returned to his home at St. Louis and committed suicide with carbolic acid. He left a widow and infant.

To Remove Freckles & Pimples. In Ten Days, Use Nadinol.

A new discovery, sold under a positive guarantee and money refunded, to every case where it fails to remove freckles, pimples, blemishes, spots, sun-burn, redness, itching, and all eruptions of the skin. No matter how long standing. Guaranteed to clear the skin in 10 days, and the worst in 30 days. After these defects are removed the skin will be clear, soft, healthy and beautiful. No possible harm can result. From its 10-cent bottles and \$1.00 at leading drug stores or by mail.

NATIONAL TOILET COMPANY, Paris, Tenn. Sold in Newark by R. W. Smith, W. A. Erman & Son, and other Newark druggists.

REMOVED. BLENDED. SOFT & STIFF HATS. RENOVATED. WORK CALLED FOR AND DELIVERED. NEW YORK. HATTER. 111 W. MAIN ST. NEWARK, OHIO. WE WANT YOUR PATRONAGE.

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THE NEWARK DAILY ADVOCATE.
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UNION LABEL
NEWARK, N. J.

Democratic Congressional Ticket.
For Congress,
WILLIAM A. ASHBROOK,
Of Licking County.

Democratic Judicial Ticket.
For Circuit Judge,
MAURICE H. DONAHUE
Of Perry County.

Democratic County Ticket.
For Sheriff,
WILLIAM LINKE.
County Clerk,
J. W. HURSEY.
County Commissioner,
GEORGE T. TAVENER.
Infirmary Director,
B. D. JACKSON.

WM. J. BRYAN
ON CONSERVATION

CAN NO MORE CONTROL TRUSTS
THAN YOU CAN CONTROL
BURGLARY.

Private Monopoly Must Be Extermin-
ated Root and Branch, Not
"Controlled."

Trondhjem, Norway, June 22.—Taking from his text the statement that he was being described as conservative, William J. Bryan said: "I am not responsible for the phrases used in regard to me, but I am responsible for my position on public questions. That position ought to be well known. Take the trust question, for instance, as it seems uppermost just now. My position is that private monopoly is indefensible and intolerable. That was the Democratic platform in 1900, and it is the only tenable position. There is some talk of controlling the trusts—you might as well talk of controlling burglary. We do not say men shall only steal a little bit, or in some particular way, but that they shall not steal at all. It is so of private monopolies. It is not sufficient to control or regulate them—they must be absolutely and totally destroyed. Corporations should be controlled and regulated, but private monopolies must be exterminated, root and branch. Now, you can call that a radical doctrine. Yet, it is more conservative to apply this remedy now than to wait until predatory wealth has by its lawlessness brought odium on legitimate accumulations. What used to be called radical is now called conservative, because people have been investigating. The doctrine has not changed, but public sentiment is making progress."

Place a small bag of unslaked lime inside the piano. It will keep the springs from rusting.

Har's Hair Health
RESTORES
GRAY HAIR
to Its Youthful Color

"Had been troubled with dandruff a long time. After using one bottle of Hairhealth I found the dandruff gone and my hair, which was two-thirds gray (I am 43 years old), restored to its natural auburn color."—G. EICHMAN, La Crosse, Wis."

HAIRHEALTH quickly brings back youthful color to gray hair, no matter how long it has been gray or white. Positively removes dandruff, kills the germ and stops hair falling. Does not stain skin or linen. Aided by **HARFINA SOAP** it soothes and heals the scalp, stops itching and promotes fine hair growth. Large 50c bottles, druggists'.

Free Soap Offer Good for 25c. Cate Harfin's Hair Health and a 25c Harfin's Medication Soap for 25c sent in with a Harfin's Hair Health bottle. Express prepaid, on receipt of ad, and this ad.

Name _____
Address _____
City Drug Store; Elman Drug Co.; Johnson; Crayton; Hall; R. W. Smith.

FILTRATION OF WATER MUST BE PROVIDED BY CITY

Before Water for Domestic Use Can Be Put in New Water Pipes.

On Friday, Attorney Wade H. Ellis filed his answer and cross-petition in connection with the water works case, in substance requesting that the city be enjoined from introducing and from permitting the introduction of a new public water supply and from changing or extending the water supply now in use until the source of such new changed, or extended water supply shall have been approved by the State Board of Health and that until a final hearing, a temporary restraining order be issued.

Consequently, on Friday, in the case the following entry was made and filed in the office of the county clerk, being approved by Attorney General Wade H. Ellis, City Solicitor Frank A. Bolton, the Board of Public Service and the American Light and Water company, the whole being approved by Judge Coyner of the court of Common Pleas. The entry means in brief, that no water can be used for domestic purposes which comes through the water system provided for in the present contract, and in fact not until a proper filtration system is established and approved.

ENTRY.

This day came the cause to be heard on the petition, the answer of the American Light and Water company, the answer and cross-petition of the State of Ohio by Wade Ellis, attorney general of Ohio, and was submitted to the court on the merits of the action and in consideration whereof the court finds:

That the contract of the American Light and Water Company is a legal and binding contract on the city of Newark, Ohio.

That the contract for the construction of the water works does not conform to the orders of the Board of Health of the State of Ohio.

That it will be unlawful for the City of Newark or its officers or The American Light and Water company to introduce through said system when completed, a supply of water to be used by the City of Newark or people for any purpose excepting fire and sprinkling and sewer flushing purposes until a filtration plant shall be added to the system, by the City of Newark, according to the approval of the State Board of Health.

Wherefore it is ordered by the court that the injunction herein allowed be modified in this respect that the defendants, the City of Newark, the Board of Public Service, The American Light and Water company be restrained and perpetually enjoined from introducing water through the pipes of said water works system when completed for the purpose of public consumption or for any other purpose than fire protection, sprinkling, sewer flushing, and said parties herein before named are each of them enjoined from making any connection between the water mains into which said new changed or extended water supply is introduced, and any building, private or public, or from permitting the use of said water for any purpose other than extinguishing fire, sprinkling, flushing sewers until such time as the City of Newark shall build a filtration plant to the satisfaction and approval of the State Board of Health and until the State Board of Health has consented to the introduction of said new changed and extended water supply for purposes other than fire, sprinkling and flushing.

Thursday the Service Board visited Horn's Hill and decided upon that place as the site of the new concrete reservoir which will be constructed as soon as the board is permitted to do so.

It is understood that the city's 50 acres at this point will give sufficient room for a reservoir with a capacity of 4,000,000 gallons, making it convenient to cleanse half of the contents of the reservoir without interfering with the operation of the plant.

PAYMENT OF PRESIDENT'S EXPENSES

Washington, June 22.—In a letter to Representative Tawney, chairman of the appropriations committee of the house, and in personal talks with members of both the senate and the house, President Roosevelt, discussing the proposed appropriation of \$25,000 a year to defray the expenses of his trips about the country, said that he did not want the money for the payment of his personal expenses. He stated that in any event, whether the appropriation was made or not, he would pay his own expenses himself on every trip. He stated that he did not feel, however, that it was quite just that he should have to pay also the expenses of the government employees who accompanied him on those trips for the purpose of transacting the business of the government, or the expenses of such others as might accompany him on the whole or on any part of a trip.

INTEREST AT THE RATE OF 4 PER CENT PER ANNUM COMPOUNDED SEMI-ANNUALLY PAID ON DEPOSITS WITH THE

Home Building Association Co. (THE OLD HOME)

26 SOUTH THIRD STREET
ASSETS OVER A MILLION DOLLARS

NO VACANCY IN LIEUT. GOV'S OFFICE

ATTORNEY GENERAL AND SECRETARY OF STATE EXPRESS OPINIONS.

Mr. Laylin Quotes Constitution—Gov. Harris Returns From Gov. Patton's Funeral.

Columbus, June 22.—Governor Harris said today that he is not yet ready to announce the appointment of the confidential clerks in his office. Gov. Harris returned to Columbus last night with the funeral train of state officials. He went direct to his apartments at the Hotel Hartman. This morning Gov. Harris entered upon the active discharge of the duties of chief executive. The secretaryship is the biggest plum in the gift of the governor. Three men are persistently mentioned: Judge C. C. Lemert of Kenton; Editor C. A. Albright of Eaton, and Randolph W. Walton, of Columbus. Lemert and Walton have had experience in the executive office. Mr. Walton is regarded as certain for some position in the executive office.

Columbus, O., June 22.—Secretary of State Laylin and Attorney General Ellis are of the opinion that there is no vacancy in the office of lieutenant governor. Secretary Laylin says: "The constitution provides that in the event of the death or disability of the governor the lieutenant governor shall perform the duties and exercise the powers of the office. He becomes acting governor, but I do not believe a vacancy in the office of lieutenant governor would be created by such emergency. The governor would be required to appoint a lieutenant governor in the case of the death or resignation of the latter officer. This was decided in the case brought during Governor Nash's administration, when a vacancy ensued by the resignation of Lieutenant Governor Nippert. Governor Nash appointed Henry L. Gordon lieutenant governor. But the case is different when a governor dies and the lieutenant governor, in compliance with the constitution, performs the duties of the office. There is no lieutenant governor to appoint; otherwise the order of succession provided by the constitution would be impossible. The law provides that if the lieutenant governor dies while performing the duties of the office the president pro tem, of the senate would become acting governor. And so in the case of a vacancy in the latter office the speaker of the house would succeed to the duties of governor."

Governor Harris has returned to Columbus from Milford, where he attended the funeral of Governor Patton.

The Duke of Connaught, King Edward's brother, belongs to the Six Nations Indians of Canada. He is the only white man to receive such a distinction at their hands, and is known among them as "Cousin Arthur."

Sam Deviney well No. 2 in McKean township belonging to the Cen-

NEWS BUDGET OF GRANVILLE

WILD CAT WELL ON CASH FARM HAS PROVED TO BE A FAIR PRODUCER.

Sam Deviney Well No. 2 Shows Increase in Flow—College Town Personal Items.

Granville, O., June 22.—The Granville Bank Company is one of Licking county's most prosperous financial institutions. As an evidence of its enterprise and progressiveness, extensive and up to date improvements are being made to the quarters occupied by the bank on Broadway. The room occupied by the bank is being extended the full depth of the lot, making the dimensions of the room 20x64. The extra space will be taken up with two new vaults, one of which will be used by the bank and the other for safety deposit boxes. There will also be a ladies' toilet and lavatory and a directors' room. New steel ceilings will be placed in position, and the entire interior will be transformed into an up to date first class banking room.

Mr. and Mrs. T. B. Jones, Harry T. Smith, L. A. Austin, Thomas Hayes and daughter, Della, Miss Ella Camp, Glenn Davidson and Rev. J. N. Eason are attending commencement exercises of O. W. U. at Delaware this week. Wilkin, son of Mr. and Mrs. T. B. Jones, graduates from that institution in the classical course. He graduated in our high school in 1902. He has had several flattering positions, and the entire interior will be and stay on the farm for a while at least.

Bids will be opened Saturday for the building of the Kappa Phi sorority chapter house on South Cherry street. It will be a one story building 35x35, with plaster interior, something new, and of colonial style. There will be four rooms as follows: Living and reception rooms, library, kitchen, lavatory and cellar. It is said work will start soon and the house will be ready for occupancy by the time school opens in the fall.

At a meeting of the Board of Education of the township, the following teachers were chosen: Lizzie Williams, Gertrude Williams, Elsie Forsythe, Grace Fry, Ella Barwick, Nora Richards, Mae Wood, Blanche Hankinson, R. W. Selby. They also decided to hold the Boxwell commencement in the town hall, Saturday, June 23, at 4 o'clock.

Miss Bline left today for Boston accompanied by Miss Elsie Hirschberg.

Word has been received here by the friends of Henry L. Carr, of Elizabeth, N. J., that he is still in a critical condition and little hopes of his recovery.

The Women's Christian Temperance Union will hold a Mothers' Meeting at the home of Mrs. Sinsbaugh Friday, June 22, at 3 o'clock.

Mr. and Mrs. Wajkin James formerly of this place, who have been in California for some time have returned to Newark, where Mr. James has accepted a position in the George Hermann clothing store.

Misses Jennie and Elizabeth and Masters Earl and Edward Futerer are enjoying a visit with relatives in Columbus this week.

Frank L. Richardson and wife of Philadelphia, were here the first of the week. Mr. Richardson is the son of W. B. C. Richardson, who at one time conducted a tailoring establishment here. He is now in the brokerage business in Philadelphia.

Henry Topping and family have gone to Chautauque, N. Y., where they will spend several weeks, after which they will leave for Japan.

Dr. E. D. Morris and daughter, of Columbus, will arrive the last week of June to spend the summer in the Sample house, now occupied by Prof. Hurdley.

Miss Helen Case is entertaining a party of girls at "Bunker's Lodge," Mr. Case's farm on North street.

The wild cat well on the Cash farm three miles east of Granville on the Alexandria road proved to be a fair producer. The Columbus Natural Gas company officials are well satisfied and no doubt will make other locations in the territory. The well came in Monday and was shot on Tuesday, and increased the flow to two millions so it is reported. The Columbus Natural Gas company has several hundred acres leased near this well. They have the farm of Alfred Wright on the east and the Fowler farm on the north, and several large farms a short distance from the well. The Locan has the W. N. Fulton farm on the south, while the Ohio Fuel has the Garney on the north. The Helzer on the northwest corner, and a small tract on the east belongs to David Gurney. Mr. Helsey also has several hundred acres about three quarters of a mile southeast of this well which "looks good" namely the 600 acre farm of Uncle John Montgomery and others. With all these companies represented in this territory, and the different pipe lines running near there, we think there will be something doing around there this summer. The Columbus company will make another location soon.

Sam Deviney well No. 2 in McKean township belonging to the Cen-

tral Ohio came in yesterday afternoon. After the drillers went through the fourteen feet of sand, they were of the opinion that the well was good for a quarter of a million and had sent for plugs. The field superintendent on arriving yesterday with them found the well had increased to about three-quarters of a million to a million and he decided to take it, which is being done. Where they will make the next location has not been announced. The company has hundreds of acres leased in this locality and will no doubt make a location before long. They have the farms of Howard Hamer, Schaller Bros., Sam Hand, D. J. Davis and S. N. Anderson surrounding the Deviney. Four wells have been put down in this territory, two of which are dry—both on the S. N. Anderson farm. There seems to be a hard streak of sand running northeast and southwest in this field. The Ohio Fuel are putting down a well on the Rowley farm a short distance east of No. 1 Deviney.

Mrs. Emma Squires is visiting her mother, Mrs. Margaret Davis in Knox county.

FOR TRAVELERS

and those who find it not convenient to use FATHER WILLIAM'S INDIAN PEA, will receive the same excellent results from using FATHER WILLIAM'S INDIAN HERB TABLETS. They are made from the same pure Herbs, and are a mild laxative but not a racking cathartic.

For CONSTIPATION, SICK HEADACHE, INDIGESTION, DYSPEPSIA, SICK STOMACH, BILIOUSNESS and MALARIA, they will be found invaluable. They are positively the best LIVER REGULATOR known. 25 doses, 20 cents; 50 doses, 35 cents. W. A. Erman & Son, Third st. and Union and W. Main sts. 3

THREE DEAD.

Result of a Suicide Pact Between Illicit Lovers.

New York, June 22.—A suicide pact between Mrs. Mary Behrens, a widow, and Edward Ganzer, who had a wife and five children, resulted in the death of both and the 12-year-old son of Mrs. Behrens, who were found dead in the woman's apartment in Brooklyn, with every gas burner turned on. Mrs. Ganzer had recently asked Mrs. Behrens to give Ganzer up, threatening to procure warrants for the arrest of both. Two letters were left by the suicides, in which both spoke of their love for each other.

Before you slip see Tucker. 12dt

A FAMILY CLOTHING STORE In Up-to-Date Lines OUR "PLAN" IS UNLIKE OTHER Ways You May Have Bought

Men's Suits, Hats, Pants, Shoes
And Boys' Suits, Hats
Ladies' And Girls' Suits, Skirts, Waists, Millinery Now Reduced 35 per cent

Your Credit is Good

GET ACQUAINTED WITH THIS OLD HOUSE, IT IS Popular With Everybody

Because the goods prove out and prices are right. We leave no loop holes for complaint

Terms to Suit all the People

LARUS-ALTHEIMER CO.
NEWARK STORE—46 NORTH THIRD STREET. CITY PHONE 5141 RED.

TAXES ARE DUE
DO YOU NEED MONEY?
We Have it and Will Lend it to You in Any Amount From

\$10.00 to \$200
And Give Your Own Time to Pay it Back. Our Loans are Made on

Furniture, Pianos, Horses, Wagons, Etc.
And Goods all Remain in Your Possession.

We are originators in the CHATTEL LOAN BUSINESS of the following rules: Extra time FREE in case of sickness—Loans made from one month to two years time. A regular guaranteed discount on note if paid before due. No advance charged of any kind—and our small payment plan which has made us famous.

New York Finance Co.
Rooms 1 and 2, Second Floor, 14 1-2 North Second St. Citizens Phone 698

Loan	Payment Weekly
20	1.20
25	1.30
30	1.45
35	1.65
40	1.90
50	2.35
60	2.70
75	3.15
100	3.40
100	4.40

Larger Loans on Smaller payments proportionately

READ ADVOCATE WANT ADS, PAGE 3

Saturday, a Day of Double Values

A DAY OF SENSATIONAL SELLING

We have determined to make tomorrow the busiest and most talked about since the White Sale commenced. Mind you!—reductions that will intensely interest every shopper.

We mention a few articles just to whet your interest. There are hundreds of equal values we invite you to see.

50c Wash Fabrics, 25c yd.

The line includes all our beautiful Summer Wash Fabrics, Silk Mulls, Silk Organdies, Embroidered Mulls, Shadow Checks, etc. All regular 50c goods, tomorrow—a year

25c

\$2.00 White Waists, 98c.

Beautiful new, dainty waists, short sleeves, button back—the newest and daintiest lace effects, some with yokes, some with embroidery bands, others with entire fronts of allover embroidery; also, entire fronts of alternate bands of lace and embroidery insertions—every waist in the lot worth \$2.00 and some more—

98c

\$2.50, \$2.75 and \$3.00 Ladies' White Waists for \$1.25.

Materials, fine sheer, batiste, and India linen, lace and embroidery trimmed—all the very newest creations, short sleeves and button back; also, long sleeves, cuffs tucked to elbow—the lot consists mostly of \$3.00 waists—

\$1.25

White Bolero Jackets.

Material fine French duck, lace insertions and Mexican open-work—latest fad—the regular price is 98c—to make Saturday remembered we are going to sell just fifty of these at—each

25c

White Wash Belts, 10c.

One gross embroidered White Wash Belts, shadow and cycle embroidery, material French duck—buckles solid white metal—

10c

White Wash Belts, embroidered, assorted patterns, and kinds worth from 10c to 25c—tomorrow

5c each

Kid Belts—Fine Suede Belts, in all colors—metal and pearl buckles—stitched edges—colors brown, green, blue, pink, etc.—

39c

Tooth Brushes—worth 25c and 35c—

10c.

We agreed to take the entire surplus of an importer. In return he made concessions which amount to this for you—25c and 35c

10c

Absolutely the finest goods manufactured—all shapes, all sizes, for young and old—not over two hundred in the batch. We sold over five hundred in three hours the last time we had this bargain. Will you be in time?

The same importer also sold us a lot of fine Hair Brushes—11 to 13 rows of bristles—75c and \$1.00 values—tomorrow

39c each

Another lot of Hair Brushes in the batch that would sell for 50c each—tomorrow

25c

The Powers, Miller & Co.
NEWARK'S BIG DEPARTMENT STORE

DOUBLE GOLDEN WEDDING CEREMONY

MRS. AND MRS. FOSTER, MR. AND MRS. NATHAN DUKE, MARRIED 50 YEARS AGO.

Over One Hundred Friends Gathered to Celebrate the Event at Centerburg.

Centerburg, O., June 22—At the home of S. H. Foster over one hundred relatives and friends gathered to celebrate the 50th anniversary of their marriage when Mr. and Mrs. S. H. Foster and Mr. and Mrs. Nathan Duke were pronounced man and wife, the brides being the sisters, Rev. Mr. Eiland repeating the ceremony and the friends wished them many more years of happiness and prosperity. Mrs. J. T. Hughes of Purity was the only one present that witnessed the ceremony 50 years ago.

On the beautiful lawn two long tables were loaded, where a sumptuous dinner was served after which Mr. Bliss Willis entertained with music on the graphophone and before separating a picture of the crowd was taken by Mr. N. W. Windland. They received a large number of valuable presents of various kinds, including a sum of money in gold as a token of remembrance.

Among those present were Mr. and Mrs. J. T. Hughes of Purity, Mr. and Mrs. H. W. Colville and son Frank, of Martinsburg, Mr. and Mrs. E. S. Penick and sons Ray, Frank, Reed and Harry of Newark; Miss Pearl Berry of Newark; Mrs. Nathan Duke and son Elmore of Columbus; Mrs. J. A. Rhodes of Columbus, Mr. and Mrs. V. E. Jacobs and sons, Charles, Harry, Dana and Otto of Croton; Mr. and Mrs. Frank Foster and son Clarence of Centerburg; Mrs. Dixon and daughter Florence of Appleton, Mr. and Mrs. Charles Benner and daughters Gladys, Ethel and Mabel of Ostrander; Mr. and Mrs. John Baker and two daughters, of Appleton; Mr. and Mrs. Gusta Case and two sons and daughter Hazel of Croton; Mr. and Mrs. Frank of Croton; Mr. and Mrs. John Overtruf of Mt. Gilead; Mr. and Mrs. John Jacobs of Columbus; Mrs. Nettie Miller and daughter, Elizabeth of Columbus; Mr. and Mrs. Willis Taylor of Johnstown; Mr. and Mrs. George Taylor of Croton; Mr. and Mrs. A. W. Hisey of Johnstown; Mr. and Mrs. Miles Gregory of Sunbury; Rev. and Mrs. Eglad of Centerburg; Mr. and Mrs. Wm. Brokaw, Mr. and Mrs. William Barr, Mr. and Mrs. Bliss Willis, Mr. and Mrs. J. K. Rymer, Mr. and Mrs. George McCracken, Mr. and Mrs. J. K. Hayden, Mr. Wm. Sauer, Mr. and Mrs. George Davidson, Mr. and Mrs. Wm. Casson, Mr. and Mrs. J. B. Wilson, Mrs. John Hopkins, Mrs. Wm. Smith, Mrs. Mary Barker, Mrs. John Landrum, Mrs. Sillman, Mrs. Wright, Mrs. Woelke and son, Mr. and Mrs. Martin Hicks, Mrs. Bronson, Mr. and Mrs. Noah Wiedland and mother, Mrs. Carver and two daughters, Miss Louie and Centh Bronson, Mr. A. B. Ewing, Miss Elsie Perkins of Mt. Gilead, Mrs. Annie Perkins, Mr. and Mrs. Wm. Meyers of Croton, Mr. and Mrs. Burt Messmore of Centerburg.

Ladies' Wash Suits and Skirts

Another great purchase on Ladies' Wash Suits and Skirts. We have carefully collected together into one department the very latest, the most stylish, and the most perfecting garments. Garments that are cut by expert cutters, garments that are sewed by expert sewers, garments that are pressed by experts. So you see garments that are perfect in every detail.

Ladies' White Wash Skirts at \$1.00, \$1.50, \$1.95 and \$2.95

Ladies' Wash Skirt—elegantly made of Indian head linen—plaited—very stylish—at

\$1.95

A \$2.95 Ladies' Wash Suit—in black and white, blue, tan lawn—at

\$3.95

Another—A \$7.50 Ladies' Wash Suit—made gracefully of Perline lawn, lace and tucks—at

\$5.00

One more—A \$6.95 Ladies' Wash Suit of Perline lawn, lace and embroidery trimmed—at

\$3.95

Wash Suits—Jackets and Skirts—elegant value at

\$5.00, \$7.50, \$10.00, \$12.50, \$18.50 and \$22.50

Meyer & Lindorf
Next to Postoffice, East Side of Square

A White Season

White canvas is the real call this time. They will be more worn this summer than any other footwear. And several stores have failed to foresee this great demand, and you may not see what you want in some of the stores, but our White Shoe Department is full to the brim. We are sure to please you in this line. Call and see them before buying White Oxfords

The Sample

H. Beckman, Prop., 9 West Side.

COUNT THE COLLARS

To-morrow is the last day to count the ARROW BRAND Collars, displayed in our north window. \$10.00 in gold for the nearest correct number. Remember, it cost you nothing to guess. Come in and register your name and address.

MERIDITH BROS.

DOTY HOUSE BLOCK.

HEAD BADLY CUT LEANING FROM ENGINE

Fireman Pryor Who Was Hurt at Toboso Was Taken to Webb Street Home.

At 3:30 Thursday, McGonagle's ambulance was called to the B. & O. passenger station where Fireman C. E. Pryor was being cared for, having been injured near Toboso where, while leaning out of his engine, he was struck by a switchstand and his head badly cut. Mr. Pryor was unconscious for some time.

Mr. Pryor was on engine 1933, with Engineer Martin Bowers when the accident happened. He was taken to a physician in Toboso, where his injuries were dressed. Upon arriving here the injured man was taken to his home on Webb street.

BOXWELL COMMENCEMENT.
The Granville Township Boxwell commencement will be held at the town hall on Saturday, June 23, at 4 o'clock p. m. W. E. Clements, Clerk.

ALLEGED PLOT

To Assassinate President Roosevelt Revealed in Oregon.

Portland, Ore., June 22—During the trial of six Poles charged with assault and battery upon Walter Sealaskiewicz, Sealaskiewicz testified that about a month ago a plot was laid in this city and an attempt was made to raise funds to send a member of an anarchist organization to Washington to assassinate the president. He stated that the plan fell through. The defendants vehemently denied the accusations and in turn declared that Sealaskiewicz was himself an anarchist. The documents and pamphlets seized by the secret service inspectors have been forwarded to Washington.

My former residence on Central avenue, now vacant and for sale. One-fourth down, balance easy payments like moving rent.

ARCHIE DAVIS

Attacked by Bees.

Altova, Pa., June 22—Attacked by a hive of bees on his farm near Salix, Joseph S. Burdett was so badly stung that his life is in danger. The bees stung him in about 100 places, on the face, neck and back.

Cathedral and Convent Burned. The great June 22—A new cathedral, a home for priests, a convent and a parish church were destroyed by fire at Nicolet, Quebec, involving a loss of \$400,000.

BOTH LEGS CUT OFF BY TRAIN

William Richardson Victim of a Sad Accident at Norwich, Ohio, on Friday Morning.

Zanesville, June 22—While loitering about the depot at Sandale (Norwich) early this morning, William Richardson, laborer, aged 25 years, was struck by an eastbound B. & O. railway freight train and both legs cut off. Dr. J. L. Geyer was summoned, but little hope for his recovery has been entertained.

The victim is the son of Mr. and Mrs. Edward Richardson, and is well known in Norwich. When picked up from the track at the depot, Richardson was unconscious. His mutilated limbs made a pitiful sight.

Genuine turtle soup every Saturday evening at Max Nagel's place, 107 South Sixth street.

Hurlbaugh certainly has big furniture wagons, because they move very near every family in one load. 5-21d-f

VICTIMIZED

By "Spirit Mediums" the Claim Made By Charles Haddock's Grandchildren.

Los Angeles, Cal., June 22—Claiming that mediums had discovered their grandfather, Charles Haddock, a millionaire, late of the firm of Haddock, Villet & Reed, Chicago, to cut them out of his estate, Frank D. Haddock and Sarah Haddock White, grandchildren, have begun suit against the estate of Cynthia Wilcox Haddock, widow of the dead millionaire, and her sister, to recover property in Chicago valued at one million dollars.

Sensational allegations made in the complaint, "Spirit mediums" claim that after the death of Haddock in 1899, and that the late two mediums were making believe that the first wife desired Haddock was a second wife. His first wife died in 1897, and Haddock, the senior member of the firm of Haddock, Villet & Reed, died in this city, March 21, 1905.

SHE RANG A BELL AND ROBBERS LEFT

Wabash, Ind., June 22—The boldest attempt yet made by the gang of safe-blowers in Northern Indiana was frustrated by Mrs. Egnaw, owner of the Western Hotel, in Lagro. At two o'clock a. m. the gang, four in number, blew the safe of the store of Fulton & Son.

Mrs. Egnaw, just across the street, heard the explosion, ran to a large bell, and rang this until she had aroused the town.

The gang disappeared as if by magic, and a posse could not effect an arrest. Edwards' elevator has deposits in the store. This is the third time the store has been visited by safe blowers.

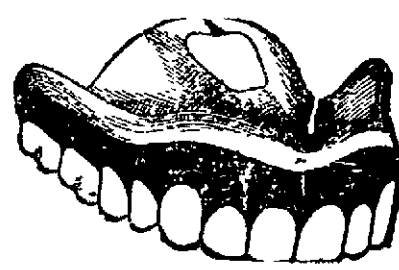
YES, INDEED.

Beef Stew's Tough Living For a Ten Dollar-a-Day Man, But Wilson Must Stand It.

New York, June 22—Frederick Wilson, 30 years old, formerly a clerk in the employ of the Title Guarantee and Trust company, of Los Angeles, arrested here June 6, charged with embezzlement of \$20,000 of the trust company's money, was given into custody of Chief of Police W. H. Amble, of Los Angeles.

"New that it is all over I don't mind saying that New York is too expensive for me. The best job I could get paid me only \$1 a day, and my expenses were never less than \$10 a day. Some people can live on beef and potatoes. I am not that kind."

MOTHER GRAY'S SWEET POWDERS FOR CHILDREN.
A Certain and Safe Remedy for Croup, Whooping Cough, Sore Throat, Teething Troubles, Feverishness, and all the ailments of Infants and Children. The Best and Safest. Sold Everywhere. Price 25c per Box. Sent by Mail Postpaid Anywhere in the World. For this coupon and eighty-five cents, in full or Express Money Order to the Excelsior Mfg. Co., 112 Washington St., Boston, Mass. TAKE OR SEND THIS COUPON NOW.



The Pleasure of Eating

Is only known and enjoyed in its highest degree by those who have perfect teeth. If you haven't perfect teeth, let us make them perfect.

We do filling, crown and bridge work that will restore the use of teeth that you may have given up as useless. If they're beyond repair we'll make you the best artificial teeth that can be made.

Fillings of all kinds 50c up
Bridge work, per tooth \$4.00 up
Gold Crowns \$4.00 up
Full set of teeth \$5.00 up

SHAI & HILL
DENTISTS
Open Evenings. Lady Attendant. Both Phones

Save This Coupon—Advocate Readers Will be Furnished With Something New

A 14K Solid Gold Self-Filling Fountain Pen

2 1/2 Regular Size. and eighty-nine cents in cash we will furnish for a time ADVOCATE readers with a full size, handsomely polished or chased barrel, 14k solid gold, fully warranted, self-filling fountain pen, bearing delivery note and cleanses itself.

TO OBTAIN THIS COUPON, CARRY THIS COUPON TO J. W. COLLINS & SON, 100 N. 3rd St., New York, N. Y. Send by mail postpaid anywhere in the world. For this coupon and eighty-five cents, in full or Express Money Order to the Excelsior Mfg. Co., 112 Washington St., Boston, Mass. TAKE OR SEND THIS COUPON NOW.

Advocate Want Column

NEWARK
DEFEATS
TOPNOTCHERS



Sports



GO-BETWEEN
WINS \$20,000
SUBURBAN

NEWARK DEFEATS TOP NOTCHERS

COLLECTION OF ERRORS ON THE
PART OF YOUNGSTOWN GIVE
THIS RESULT.

Three of Youngstown's Runs Earned
—Mr. Billy Thomas Pitched
Very Good Ball.

HOW THEY STAND.

	Won.	Lost.	Pct.
Youngstown ..	29	17	630
New Castle ..	26	20	565
Zanesville ..	27	21	563
Akron ..	25	21	543
Mansfield ..	23	25	479
Lancaster ..	22	26	458
Newark ..	21	27	438
Sharon ..	16	31	340

Yesterday's Results.

Newark 6, Youngstown 4.
Mansfield 5, Sharon 3.
Zanesville 0, Akron 5.
Lancaster 5, New Castle 1.

Today's Games.

Newark at Youngstown (2 games).
Zanesville at Akron.
Lancaster at New Castle.
Mansfield at Sharon.

Tomorrow's Games.

Newark at Youngstown.
Mansfield at Sharon.
Lancaster at New Castle.
Zanesville at Akron.

Youngstown, June 22—Well, well. Newark's Molders defeated the top notchers here yesterday afternoon, and are feeling so good over it that they are threatening to do more things to Youngstown before the series is over. However, the game went to Newark not through the brilliancy of the visitors' playing, but because of the errors of the home fellows. Edward Hilley made four errors himself and these coupled with two more by the Champions gave Newark the game.

Three of the Youngstown runs were earned. Thomas pitched a good game and he should have won, but he didn't. The score:

	ab.	h.	po.	a.	e.
Blount rf	4	2	0	1	0
Maloney c	4	2	0	0	0
W. Thomas lf	5	1	4	0	0
Whitney 1b	4	1	7	1	0
McKlosky 2b	4	0	3	3	0
Fohl c	3	1	7	1	0
McClintock ss	4	0	2	2	1
Hilley 3b	4	1	4	0	4
B. Thomas p	3	0	0	2	0
Totals	35	6	27	12	7

Newark: ab. h. po. a. e.
Davis ss 4 | 0 | 1 | 6 | 0 || Wratten 2 | 4 | 1 | 2 | 1 | 0 |
Snyder lf	4	1	3	0	0
Snodgrass rf	4	1	2	1	0
Drake, m	4	2	5	0	0
Schweitzer r	4	0	2	0	0
Havel 2b	4	0	3	2	0
Schlatter 1b	3	1	8	1	1
Fink p	3	1	1	1	0
Totals	34	7	27	12	1

Youngstown .. 1 0 0 0 2 0 0 1—4
Newark .. 0 0 3 1 1 0 1 0—6
Runs—Blount 2, Maloney, Whitney; Wratten 2, Snyder, Schlatter 2, Fink.

Three base hits—Whitney, Blount, Stolen bases—Blount, McClintock, Wratten, Schlatter.

Sacrifice hits—Maloney, Davis, Fink.

Left on bases—Youngstown 8; Newark 4.

First base on balls—Off Fink 3. Struck out—By Thomas 5; by Fink 1.

Wild pitch—Thomas.
Time—1:40.
Umpire—Lavelle.
Attendance—400.

Mansfield 5, Sharon 3.
Sharon, Pa., June 22—By pounding McNally for four hits and making three runs in the eighth inning, Mansfield defeated the home team at independent park yesterday afternoon. Score: R. H. E.

Sharon .. 0 0 0 1 0 2 0 0—3 7 2
Mans .. 0 0 1 0 1 0 3 0—5 8 1

Batteries—McNally and Ulrich; Bailey and Fox. Umpire—Bell.

Lancaster 5, New Castle 1.
New Castle, Pa., June 22—Lancaster out-played New Castle in all departments of the game yesterday, and won with runs to spare. Score: R. H. E.

New C .. 0 0 0 0 1 0 0 0—1 7 1
Lancs .. 0 0 4 0 0 0 6 10—5 12 1

Batteries—Bowers, Drake and Swaney; Compton and Locke. Umpire—Wise.

Akron 5, Zanesville 0.
Akron, June 22—The Akron team

used the whitewash brush on the Zanesville Moguls, winning by the score of 5 to 0. Jimmy Limerie's pitching was the big feature. Cooper and Huling of the Moguls were escorted from the grounds by a policeman and Quinn was benched for kicking. Score: R. H. E.

Akron .. 0 2 0 1 0 2 0 0—5 9 0
Zanes .. 0 0 0 0 0 0 0 0—0 3 3

Batteries—Limerie and Ortleib; Wilmut and Doyle.

Umpire—Franklin.

BIG LEAGUE GAMES.

AMERICAN LEAGUE.

AT WASHINGTON—R. H. E.
Washington .. 0 0 1 0 0 0 0—1 6 2
Philadelphia .. 0 0 0 0 0 0 0—1 6 2

Called—rain.
Batteries—Smith and Wakefield; Bender and Schreck.

AT DETROIT—R. H. E.
Detroit .. 0 0 0 0 0 0 0 0—0 7 2
Cleveland .. 0 2 5 0 1 0 0 0—9 13 0

Batteries—Mullin and Warner and Payne; Hess and Bemis.

Second game:
Detroit .. 0 1 0 0 0 0 0 10—2 7 3
Cleveland .. 1 0 1 0 0 0 0 0—3 14 0

Batteries—Killian and Warner; Eels and Bemis.

CLUBS W. L. P. C. CLUBS W. L. P. C.
Cleve. 33 20 633 St. L. 29 28 524
Phila. 32 25 593 Chic. 27 26 519

N. Y. 32 23 580 Wash. 19 35 352
Det. 29 28 537 Bos. 15 40 273

NATIONAL LEAGUE.

AT BOSTON—R. H. E.
Boston .. 3 0 0 3 4 0 0 0—10 13 2
Chicago .. 0 0 0 0 1 0 0 0—1 5 2

Batteries—Lindaman and Brown; Beebe, Overall and Moran.

AT PHILADELPHIA—R. H. E.
St. Louis .. 0 2 0 0 0 0 0 0—2 7 1
Philadelphia .. 0 2 1 0 0 0 0 0—3 7 1

Batteries—Drubot and Murray; Pittenger and Donovan.

AT NEW YORK—R. H. E.
Pittsburgh .. 0 1 0 1 2 0 0 0—4 14 2
New York .. 0 0 0 2 0 0 0 3—5 11 3

Batteries—Leever, McFarland and Gibson; McGinnity, Mathewson and Bowerman.

CLUBS W. L. P. C. CLUBS W. L. P. C.
Chica. 41 19 553 St. L. 24 35 400
Pitt. 33 18 600 Cin. 24 35 400

N. Y. 37 20 649 Brook. 21 35 375
Phila. 31 29 517 Bos. 19 39 328

AMERICAN ASSOCIATION.

At Milwaukee 5, Minneapolis 7.
At Louisville 5, Columbus 3.
At Toledo 5, Indianapolis 3.

CLUBS W. L. P. C. CLUBS W. L. P. C.
Toledo 26 24 600 K. C. 25 28 509
Colum. 36 27 571 Minne. 29 32 475

Louis. 33 26 559 Ind. 22 37 373
Milw. 31 26 544 St. P. 20 27 351

The King Co. Team.

The King Co. baseball team will hold a meeting at 11 1-2 West Main street tonight at 7:30 o'clock. All members are requested to be present.

The same team will also journey to Dresden, O., to play the strong team of that place tomorrow afternoon. Will play the Parish Co. of this city on the Jefferson street grounds Sunday morning. F. J. Fox, manager.

BEVARD MURDER TRIAL.

(Continued from Page Two.)

and maliciously killed the said Frances Wertz, at the time and in the manner stated in the indictment, but that the killing was without deliberation and premeditation, then, and in that event, you may find him guilty of murder in the second degree.

I have said that the charge contained in the indictment includes manslaughter. Now, manslaughter is defined to be: The unlawful killing of another without malice either express or implied, which may be either voluntary, upon a sudden heat, or inadvertently, but in the commission of some unlawful act.

If you find the defendant not guilty of manslaughter, or murder, in the first or second degree, you may inquire and determine whether or not he is guilty of assault and battery, which I have said is included within the scope of the charge contained in the indictment.

Assault and battery is any intentional violence committed by one person upon the person of another. The mere laying of a finger upon another against his will, in angry, rude, or insulting manner, constitutes an assault and battery.

The defendant can only be convicted of assault and battery in this case in case you should find, from the evidence, beyond a reasonable doubt, that he unlawfully assaulted Frances Wertz, in the manner alleged in the indictment, on or about the time, and at the place mentioned in the indictment, and you fail to find that the death of Frances Wertz was in any manner caused or hastened by such assault. If the evidence so satisfies you, you may find the defendant guilty of assault and battery.

The defendant is presumed innocent of the crime charged, and of

A 6 TO 1 CHANCE WINS HANDICAP

IN A TERRIFIC DRIVE GO-BETWEEN DEFEATS DANDELLION BY A HEAD.

Time Was 2:05 1-5—Colonial Girl Was Third, Two Lengths Behind in the Race.

Sheepshead Bay, June 22.—In a terrific drive, which lasted all through the final furlong, Go-Between, a 6 to 1 chance, won the Suburban handicap in the presence of 30,000 people at Sheepshead Bay, defeating Dandellion by a head, with Colonial Girl third. The time was 2:05 1-5. To a fair start Oederstrom set the pace, followed by Dandellion and Dolly Spanker. This order remained the same around the paddock turn and in the back stretch. Rounding the far turn Dandellion, the favorite, took the lead. As the field swung into the stretch they were all in a bunch, but when straightened for the run to the wire Go-Between and Dandellion drew away from the field. Both boys, Miller on Dandellion and Shaw on Go-Between, sat down to ride with hands and heel, and in a desperate drive Shaw landed Go-Between a winner, completely outstriking Miller. Colonial Girl was third, two lengths back.

each and every lesser crime which I have mentioned as included in the charge contained in the indictment, and of each element which goes to make up the crime charged in the indictment, or to make up any of the lesser crimes included in the crime charged. That presumption starts with and accompanies the defendant throughout each and every step of this trial. The State does not desire and will not permit his conviction until after it shall have introduced sufficient competent evidence to overcome that presumption, and to satisfy you beyond a reasonable doubt, of his guilt.

Therefore, before you can render a verdict of guilty of the crime charged or of any of the lesser crimes mentioned, the evidence must be of such a character as to exclude every other reasonable conclusion except that of the guilt of the defendant.

The law is too humane, and the State too jealous of the liberties of its citizens to permit a conviction while a rational doubt exists in the minds of the jury as to the guilt of the person accused. So that as long as a reasonable doubt exists in the minds of the jury as to the guilt of the accused, a verdict of guilty cannot be returned.

By "a reasonable doubt," is not meant a mere whimsical or fanciful state of the mind, unsupported by reason or good judgment; but is meant: one which arises from the evidence adduced, or the lack of evidence. A mere speculative doubt, voluntarily excited in the mind, in order to avoid the rendition of a disagreeable verdict, should have no influence with you in arriving at a just determination of a verdict.

If the material facts without which guilt cannot be imputed to the defendant, can be fairly reconciled with his innocence, then you should be warranted in finding the existence of a reasonable doubt, and I might say. You should so find; and if such a doubt exists, you must acquit the defendant.

If, however, a careful consideration of all the evidence adduced, and giving it such weight as, in your judgment, it is entitled to receive, satisfies you, to a reasonable certainty of his guilt, you should say so by your verdict.

A reasonable doubt is that state of the case which, after an entire comparison and consideration of all the evidence adduced at this trial, leaves your mind in that condition in which you cannot say you feel an abiding conviction, to a moral certainty, of the truth of the charge contained in the indictment.

There can be no crime without criminal intent. Intent is a creature of the human mind, conceived in and born of the mind, and, therefore, is not easy of demonstration or proof, except from the overt acts of the party in whose mind it exists.

However, when an act prohibited by statute is proved to have been knowingly done, no further proof of intent is necessary on the part of the State to obtain a conviction, in the absence of justifying or excusing facts, since the law presumes prima facie, the intent from the commission of the criminal act.

It is not a conclusive presumption, and, therefore, may be explained and justified on the part of the accused.

Before you can find the defendant guilty of either murder in the first or second degree, the State must satisfy you, beyond a reasonable doubt, that the defendant intentionally killed

Frances Wertz. Now, to do an act purposely, is to do it intentionally. The question of intent is to be determined by you from the act done, the manner of doing it, together with its results, and from all the facts and circumstances surrounding the transaction, as the same are disclosed by the evidence.

I have said that malice is an essential element of both murder in the first and second degree; and, therefore, there cannot be a conviction of either unless the State has satisfied you of the existence of malice on the part of the defendant in the perpetration of the act or the killing of Frances Wertz. Malice consists in the doing of an unlawful act which may result in injury to another, without just cause or excuse. It, like intent, has its origin, or birth in the mind, and is to be determined from the act of the party who is possessed of and controlled by it. It is often associated with anger, hatred, or desire for revenge, but it not infrequently exists without the presence of either of these. It signifies a willful design to do an unlawful injury, whether such design be prompted by hatred or revenge, or springs from wantonness or a depravity of the heart, which disregards all social and moral duties, and is fatally bent on mischief.

I have heretofore, at this term of court, given an illustration from practical life of that kind of malice which springs from a depraved heart and not from any feelings of hatred or revenge. It being the best illustration, to my mind, of that kind of malice, I now repeat it to you:

Some few months since three men were walking down High street in Columbus, O., one of whom announced to the others his determination to assault the next colored man he should see. They were crossing the viaduct when they met a colored man, and carrying out his announced intention, he struck him, causing his death.

Under such a state of circumstances, it could not be said that the assailant's malice was born of hatred of the person assaulted, or of revenge, because the assailant knew not the person whom he assaulted, and therefore could not well have reasonable ground for either hatred or revenge.

Such malice, so manifested, is born of a depraved heart and an inclination utterly regardless of the rights of others and certainly bent on mischief.

Deliberation and premeditation are each essential elements of murder in the first degree, but not of murder in the second degree or manslaughter.

Before you can find the defendant guilty of murder in the first degree, you must not only be satisfied from the evidence beyond a reasonable doubt that the killing was done unlawfully, purposely, and feloniously, but the State must also satisfy you that the killing was done with deliberation and premeditation, which would require you to find that the defendant had formed the purpose in his mind to kill Frances Wertz, and that having formed the purpose the same was deliberated upon and premeditated before the act of killing took place. The law fixes no time during which such deliberation and premeditation shall take place. It is not necessary to be for any particular time, but you must be satisfied, from the evidence, beyond a reasonable doubt, that the defendant had formed a purpose in his mind to kill Frances Wertz, and had deliberated and reflected upon it before the killing. It is sufficient, although only a short time had elapsed after such purpose was formed and the act of killing was accomplished, if the same was deliberated upon and premeditated by the defendant. Deliberation and premeditation, like intent and malice, are formed in the mind, having their origin in the reasoning faculties. To deliberate, is to weigh in the mind, to ponder over, or consider a proposition. To premeditate, is to think over beforehand, to meditate concerning an intended act before the commission of the act. As I have said, the law fixes no time during which deliberation or premeditation shall exist or take place, and it is only necessary to establish beyond a reasonable doubt that the killing was the result of deliberation and premeditation, if the other essential elements of the crime charged are proven.

The defendant has introduced some testimony the purpose and tendency of which is to establish what, in law, is known as an alibi, that is, that at the time of the assault upon Frances Wertz he was elsewhere, and was not at the place where the assault was committed upon her. Well, gentlemen, if he was not at that place where the assault was committed at the time it was committed, which resulted in her death, then, of course, he could not be held to have committed it.

This is a matter for you to determine. If, after a consideration of this testimony, together with all the testimony adduced, you are satisfied he was not there, then your verdict will be not guilty.

Some testimony has been introduced in regard to the good character and reputation of the defendant before the commission of the crime charged in the indictment. Well, gentlemen, character and reputation are commendable and valuable traits, but they are no defense to a crime, but such evidence is to go to you, together with all the other evidence in the

case, as bearing upon the question of whether the proof, taken as a whole, establishes the guilt of the defendant beyond a reasonable doubt. Such evidence is to be considered by you as reflecting light upon the question of the probability of a man of such a character committing the crime.

But if, after considering all the evidence adduced, with the evidence of good character, and giving it such weight as, in your judgment, it is entitled to receive, you are satisfied beyond a reasonable doubt of the guilt of the defendant, it is your duty to say so by your verdict.

As to impeaching witnesses: There are two ways of impeaching witnesses, both of which have been resorted to in this case; that is, to introduce evidence tending to show that the witness sought to be impeached has made statements out of court about a material matter, which contradicts or differs in an essential manner from the testimony of the witness upon the stand about the same matter; and, to produce witnesses who testify that they are acquainted or have the means of knowing the general reputation of the party sought to be impeached for truth and veracity, and, from their knowledge, say as to what that general reputation is: whether it is good or bad.

Let me illustrate: You will remember that the defendant's counsel put to Eva Wertz a question as to whether she had not said to and in the presence of certain persons that she did not know who committed the act, and other statements at variance with her testimony on the stand. She denied having made any such statements. Then one or more of the persons to whom or in whose presence such statements are alleged to have been made were called to the stand and testified that she made the statement or statements attributed to her.

The State used the same means with the view of impeaching certain witnesses for the defendant. The statement of the impeaching witness or witnesses is not to be taken as proof of the fact, but merely as testimony tending to prove that the witness sought to be impeached made the statement attributed to him or her. The other means used was the calling of witnesses as I have before indicated, to testify that the reputation of the witness sought to be impeached for truth and veracity was not good.

Whether a witness has been successfully impeached, or how far his or her testimony has been impeached by impeaching evidence, is solely within your province to determine. You will, notwithstanding you believe from the evidence that the witness has made contradictory statements, give such weight to his or her testimony as you believe it is entitled to. It is solely your province to say what witnesses you believe, and to what extent you believe them.

It is not always possible to establish guilt by direct and positive testimony, nor is it necessary; and circumstantial evidence alone, when sufficient to satisfy the mind beyond a reasonable doubt, will justify conviction. Circumstantial evidence is proof of facts standing or existing in such relation to the ultimate facts to be proven that such ultimate facts may be inferred or deduced from such surrounding facts. Before there can be any legal conviction, however, of the defendant in this case, the evidence, whether it be direct or circumstantial, must be so clear as to exclude from your minds and from the mind of each one of you, all reasonable doubt of the guilt of the defendant.

Statements in the indictments are not to be taken by you as evidence in the case. Neither are statements of counsel in argument to be taken as evidence. You must, in deciding this case, confine yourselves to the testimony of the witness as it came to you from the witness stand. Testimony is the sworn statement of the witness, while evidence is that kind of testimony which carries conviction to the mind of the jury. You are the judges of the credibility of the witnesses and the weight to be given to their testimony. You have heard the witnesses while giving their testimony; you have observed their demeanor and manner while on the stand while testifying. You will take these things into consideration in weighing the testimony, together with their candor, or want of candor; their bias, or want of bias; their interest in the event of the suit, if any is shown; their means of knowing the matters and things concerning which they have testified. The defendant has taken the stand and testified in his own behalf. This he had a right to do, and his testimony is to be weighed as the testimony of the other witnesses, taking into consideration his interest in the event of the suit.

Gentlemen, I have said that the State, as one of the elements of the crime charged, must satisfy you that the death resulted from the effects of the wound. The State has examined as witnesses two experts; that is, gentlemen skilled in their profession; Doctors Marriott and Smith, who have testified upon that branch of the case. You will take their testimony, together with the other testimony in the case, and if you find that all the testimony, together with the physicians, satisfies you, beyond a reasonable doubt, that the wound was the proximate cause of the death, you will say so by your verdict.

The jury should be convinced by the evidence in the

(Continued on Page 7, 6th col.)

THE S.S.S. STANDARD TONIC

The ingredients of which S. S. S. is composed, and the method of combining and preparing them so that they gently and pleasantly build up and strengthen every part of the body, make it the ideal tonic for a disordered condition of the system. Every one feels the need of a tonic sometimes. The system seems to get "out of gear," the appetite becomes fickle, the energies are depressed, sleep is not restful or refreshing, and the entire body has a nervous, worn-out feeling. When the system is in this depleted, run-down condition it must be aided by a tonic, and S. S. S. is recognized everywhere as the standard. Being made entirely of roots, herbs and barks selected for their gentle action as well as their invigorating effect on the system, it will not disagreeably affect any of the delicate members or tissues as do most of the so-called tonics on the market which contain potash or some other harmful mineral ingredient. These derange the stomach and digestion, unfavorably affect the bowels or otherwise damage the health. S. S. S. tones up the stomach and digestion, improves the appetite, produces refreshing sleep, rids the body of that tired, run-down feeling, and supplies tone and vigor to the entire system. It re-establishes the healthy circulation of the blood, acts more promptly and gives better and more lasting results than any other tonic, and because of its vegetable purity is an absolutely safe medicine for young or old. S. S. S. acts admirably in cases of dyspepsia, indigestion and other stomach troubles, and after using it that uncomfortable feeling of fullness, dizziness or drowsiness, after eating, are no longer felt. Not only is S. S. S. the greatest of all tonics but possesses purifying and alterative properties, and if there is a taint in the blood it will promptly remove every trace and restore perfect health. In selecting your tonic for this year do not experiment but get S. S. S., the recognized standard.

THE SWIFT SPECIFIC CO., ATLANTA, GA.

KAYSER GLOVES

The ideal glove for Summer wear.

Dame Fashion approves them
Excellence, Elegance and Economy
Combined in the "KAYSER"

THE GENUINE HAVE THE NAME ON THE HEEL

TALKING Machines

33 West Church St.

\$1 Down, \$1 Per Week

American Talking Machine Co.

SOUVENIR SPOONS

Court House High School Auditorium

See our line of Sterling Silver Spoons in sets.
Single Sterling Silver Spoons 75c cents and up

FUCHS BROS.

Jewelers, 35 W. Main St.

Ready Money

is a constant and substantial friend — one that never deserts you in the times of misfortune and troubles. Its influence is doubly appreciated when occasion arises which calls for its aid.

4 PER CENT INTEREST PAID
On Savings Accounts and Certificates of Deposit.

The Newark Trust Co.

Doty House Block, Newark, O.

FRESH MEATS

We have just installed in connection with our Grocery, a first-class

Meat Market

and a full line of the choicest Fresh and Salt Meats will be handled by us at all times. Telephone orders will receive prompt attention.

James P. Murphy

37 West Main Street.
Both Phones.

Constipation

from the body, or there will be trouble. Constipation means bilious attacks, indigestion, headaches, nausea, dizziness, loss of appetite, thin blood. Ayer's Pills are gently laxative, all vegetable.

You cannot possibly enjoy the best of health if your bowels are constipated. Undigested material, waste products, must be daily removed from the body, or there will be trouble. Constipation means bilious attacks, indigestion, headaches, nausea, dizziness, loss of appetite, thin blood. Ayer's Pills are gently laxative, all vegetable.

6-7-64

people are buried.

Wealthy People

Take Blackburn's Victory Castor-Oil Pills, because pure, sure, and pleasurable physic, tonic and purifier. 125c. Druggists.

DR. J. T. LEWIS,
DENTIST.

Office—New Phone 818, 42 1/2 North Third St.; Res. Old Phone 403.

Teeth extracted without pain. We guarantee. Office hours 8 to 12 a. m. 1 to 5 p. m. Open Wednesday and Saturday evenings 7 to 8. Other events by appointment only.

**HAVE YOU ANY
ROSE BUSHES,
FRUIT TREES,
CABBAGE OR
TOMATO OR
POTATO PLANTS**

We have a full and complete line of all preparations for killing insects, and the **SOLE AGENCY** for

Rose Nicotine,

The only preparation of the kind that is sold under a positive guarantee, and undoubtedly the best insecticide on the market.

◆◆◆◆◆

Ernest T. Johnson
Druggist.
No. 10, Warren House Block.

Our Clearance Sale of all the

Finer Wash Goods Begins Saturday Morning

This immense variety will surely give you an unexcelled opportunity to please yourself with a fine dress pattern. It includes all our Louisine silk mixtures—our dotted Eoliennes—Embroidered Grenadines—shadow check Embroidered Mulls—Silk Gingham—Silk Organdies and all the other fine fabrics that are 50c, reduced tomorrow—

To 30c a Yard.

50c Summer Silks Now 39c a Yard

These are the strictly summer silks that come only in white and black—white cords and checks. Also, all our 50c Foulards to close at 39c a yard.



Our Clearance Sale of all Our Finer Waists

will also open Saturday. In this selection is included all the beautiful summer waists in sheer cottons—batistes, and the silks. This variety is very big and everything that is now marked from \$2.00 to \$10.00 will be reduced Saturday. This is a sale of all our finest waists

PARASOLS

The greatest Parasol season that we have had for 8 or 10 years it now at its height. Following our heavy purchases to meet this demand, we find we have many Parasols left that run from \$2.50 to \$7.50. We shall reduce all of these also to-morrow morning.

The H. H. Griggs Co

A TRUTH!

The man that buys a suit without first seeing our immense line of good clothes, does himself and purse a gross injustice.

When we say they are "the smartest clothes in Newark," we state the gospel truth. The proof is here. Prices—

\$7.50 to \$25

We particularly refer to the swell line

At \$15.00

If you've never been in to see us, it's time.

GEO. HERMANN CLOTHIER
WHERE THE GOOD AND STYLISH CLOTHES ARE SOLD.



FATHER SHOWED HIS GIRL SNAKE

And the Effort to Strengthen Her Courage Has Made Daughter a Nervous Wreck.

Shelbyville, Ind., June 22—Ruby White, aged 6 years, a daughter of Charles White, a wealthy farmer who lives four miles from this city is a pitiable nervous wreck, by an act of thoughtlessness on the part of the father. The child has always had a horror of snakes, said to be due to prenatal influences.

One week ago the father killed a large black snake and carried it to the house and handled it in a careless manner in the presence of the child, in the hopes of relieving her fears.

A fit of nervousness at once seized the little girl, and for some time it was thought she would go into convulsions. Since the day the snake was shown her, her condition has steadily grown more alarming. At times she imitates the actions of a snake. At mention of the word snake the child will throw her head from side to side and her little body will writhe and tremble as if in great agony.

Physicians who have the case in charge say there is little hope for the child's recovery.

Dr. D. J. Price has removed from the Scott building to No. 20 East Church street.

NEWARK BUSINESS COLLEGE.
Day and Night School. Instruction unexcelled. Courses of study up to date. Accommodations unequalled. Methods unsurpassed. Lansing Block 10-24 E. S. L. BENEY, Prin.

CHAS. KAUFMANN DENISON STUDENT

SHOCKED BY NEWS OF ARREST OF HIS MOTHER IN SOUTH DAKOTA.

Young Man Who Leaves for West Is Inclined to Believe Story Is Exaggerated.

The publication of the dispatch from Sioux Falls, S. D., Thursday, containing the account of the attempted lynching of Mrs. Kaufmann, wife of Mr. Moses Kaufmann, a millionaire brewer of that city, who was charged with fiendishly torturing her servant, Agnes Polies, and causing her death, created a great sensation here, as a son of Mr. and Mrs. Kaufmann, Charles Kaufmann, is attending school at Denison university Granville, and is well known in Newark.

Mr. Kaufmann, who has been attending the school at Granville for the past two years, is unable to account for the published stories regarding his mother, and is inclined to think that they have been greatly exaggerated. Mr. Kaufmann is an excellent young man, and stands high with the students and with all with whom he is acquainted. He left for Sioux Falls Thursday night.

BREWERY IS TO MAKE MORE ICE

PLANT IS TO BE DOUBLED IN CAPACITY, IT IS SAID ON GOOD AUTHORITY.

Representative of a Large Manufacturing Concern Was at Newark Brewery Thursday.

It is rumored on good authority that the Consumers' Brewing company of this city, which has been engaged in manufacturing ice for some time for the trade, will double its capacity by installing a new ice machine and additional tank. A representative of one of the largest ice machine manufacturing in the country was here on Thursday in consultation with brewery people regarding the matter.

NO NEW ICE PLANT.

It was learned Friday that the parties interested directly in the proposed new ice plant, after investigation as to the consumption of ice in Newark and surrounding villages, and the cost of erecting a modern ice and cold storage plant, have concluded that the demand is not sufficient to enable a company to pay the proper dividends on the large amount of capital necessary to build a modern plant. The proposition has therefore, been indefinitely postponed.

Long & McCammet, undertakers; phone 453. 10-4-11



Are you a judge?

If you're not a judge of good clothes, it would be well to keep your weather-eye open.

Don't buy trash.

It's easy to make cheap spring clothes.

Some people make them so cheap that they're dear at any price.

It's a good idea to go to a house that has a reputation for selling good clothes.

You'll be safe in coming here for a "money back" if anything goes wrong.

Take a look at our suits, \$5.00 to \$20.00.

Cravette or Rainy-Day Coat, \$7.50 up to \$25. Good assortment of trousers.

Prices ranging from \$1.50 up

The Great Western

Wash Fabrics

At 50c on the Dollar

A TREMENDOUS PURCHASE of wash fabrics at 50c on the \$1—that's what our buyer has accomplished. Bought the choicest line of wash fabrics on the market this season. A stock that does not only consist of the cheap and medium but fine goods as well. Struck one of the greatest mills of the country that needed cash. They were forced to sell, and at such a price we took their entire stock. Alcalada Cords, Organdie Eylsiennes, Nagasaki Silks, Netternick Lawns, Printed Silk Mulls, Grecian Voiles, Tussah Silks, Mohair Luster, Depta Cords, Silk Stripe Voiles, Silk Mull Dots, Dotted Dress Swisses, Embroidered Mulls, Etc. Read on. These goods come in plain and figured designs. All these goods will be marked to sell at a much less price than they cost the manufacturer to produce.

Special

10-yard Dress Gingham Pattern for 50c

Not more than one pattern to a customer. This line of gingham is beautiful to behold. Grand to see all the new and lovely shades of colorings. The new stripes, the dainty plaids, and the charming checks. A magnificent array of white, blue, pink, and black in different effects, that is bound to please the woman of the most fastidious taste—one pattern. . . . 50c

8c Alcalada Cords, 5c.
27 inches wide; fast colors, white grounds; beautiful effects—per yard 5c

25c Organdie Eylsienne, 15c.
Beautiful designs, dainty colorings: full width—per yard 15c

15c Grecian Voile 8c.
Plain and color check effects, possess crispness of touch—at per yard 8c

18c Dotted Dress Swisses, 10c.
All plain colors; full width—at per yard 10c

18c Organdie Argenton, 10c.
A dainty, sheer fabric, beautiful floral effects—at per yard 10c

35c Embroidered Mulls, 19c.
A beautiful new fabric, all white grounds, with black suit eyelet effect—at per yard 19c

35c Nagasaki Silk, 18c.
A charming fabric: comes in all colors—at per yard 18c

50c Rampoor Suiting, 25c.
Looks just like Rajah Silk, linen color—at per yard 25c

65c Tussah Silk, 35c.
A very desirable new fabric; half silk; all colors—at per yard 35c

35c Silk Striped Voils, 15c.
Exclusive patterns, unequalled, full width—at per yard 15c

Next to Postoffice

Meyer & Lindorf

East Side of Square

PROF'S BICYCLE IS AGAIN STOLEN

TWO BOYS ARE BOUND OVER TO THE PROBATE COURT FOR THE CRIME.

Lads Arrested for Stealing Dinner Pails at Everett Factory and Eating Contents.

Two boys giving their names as Frank Lamp and William Meeker, each aged about 14 years, were brought before Mayor McCleery charged with the theft of a bicycle belonging to Prof. W. W. Nussbaum.

This is the second time within a very few weeks that Mr. Nussbaum's wheel has been stolen. The boys took it from the rack in front of the Y. M. C. A. on last Tuesday, and later took it to George Stream's place of business on West Main street, where they pumped it so full of air as to cause one of the tires to burst. Mr. Streams recognized the wheel and the result was the arrest of the youthful miscreants. The two boys were bound over to Probate court in the sum of \$50 each.

Three boys from North Newark were arrested and brought into court Friday on the charge of stealing dinner pails at the Everett works Thursday night and eating the contents. The boys names were given as Adam and Alfred Burns and George Siegle. The latter is at present on parole pending good behavior, from the reformatory, and is claimed by the other boys to have committed the crime of stealing the dinners. Nevertheless they acknowledged to having "partaken of the repast" also. The boys were fined \$5 and costs each.

Before you slip see Tucker. 124U

AGAINST ROOSEVELT.
Washington, Ind., June 22—The Washington Herald, the leading Republican newspaper in the Second congressional district of Indiana, has come out with a two column editorial against the renomination of Roosevelt for the presidency.

A new plant called "malva" has been discovered in the State of Sinaloa, Mexico, that produces first class fiber. Its cultivation requires little or no labor. It is much drier than the famous maguey plant.

James A. Hughes was renominated for congress from the Fifth congressional district of West Virginia by the Republicans.

COMPTON'S PIANO SALE

No. 9 North Fourth Street.

J. A. Compton is only selling the best makes of Pianos at this sale.

Pianos Guaranteed 5 to 20 Years.

Buy from the manufacturer and save from \$100 to \$150 on your purchase.

Pianos on Easy Payments

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